



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

1ST LEGISLATIVE DAY

WEDNESDAY, JANUARY 14, 2009

12:09 O'CLOCK P.M.

SENATE
Daily Journal Index
1st Legislative Day

| Action | Page(s) |
|---|----------------|
| Communication from the Minority Leader | 7, 38 |
| Impeachment Tribunal..... | 57 |
| Message from the House | 54 |
| Message from the President | 6, 38, 42 |
| Presentation of Senate Resolution No. 1 | 7 |
| Presentation of Senate Resolution No. 2..... | 8 |
| Presentation of Senate Resolution No. 3..... | 39 |
| Presentation of Senate Resolution No. 4..... | 39 |
| Presentation of Senate Resolution No. 5..... | 39 |
| Presentation of Senate Resolution No. 6..... | 44 |
| Presentation of Senate Resolution No. 7..... | 57 |
| Report from Committee on Assignments..... | 40, 53 |
| Report from Rules Committee | 37 |

| Bill Number | Legislative Action | Page(s) |
|--------------------|--------------------------------|----------------|
| SR 0001 | Adopted | 37 |
| SR 0001 | Committee on Rules | 7 |
| SR 0002 | Adopted | 37 |
| SR 0002 | Committee on Rules | 8 |
| SR 0003 | Adopted | 40 |
| SR 0003 | Committee on Assignments | 39 |
| SR 0004 | Adopted | 41 |
| SR 0004 | Committee on Assignments | 39 |
| SR 0005 | Adopted | 41 |
| SR 0005 | Committee on Assignments | 39 |
| SR 0006 | Adopted | 53 |
| SR 0006 | Committee on Assignments | 44 |
| SR 0007 | Adopted | 57 |

At the session of the General Assembly of the State of Illinois, begun and held in the City of Springfield on Wednesday, the Fourteenth day of January, in the year of our Lord, two thousand nine, being the second Wednesday in January, it being the first session of the Ninety-Sixth General Assembly, Honorable Rod R. Blagojevich, Governor of the State of Illinois, appeared at 12:09 o'clock p.m. and called the Senate to order.

Governor Blagojevich appointed the following members to constitute a committee to escort members of the Judiciary to the rostrum for the purpose of administering the oath of office to the Senators-elect of the Ninety-Sixth General Assembly: Senators Wilhelmi, Noland, Hutchinson, Bivins and Duffy.

The Committee returned and announced that Chief Justice Thomas Fitzgerald and Justices Charles Freeman, Robert Thomas and Thomas Kilbride of the Illinois Supreme Court were present and ready to administer the oath of office to the Senators-elect.

The Governor welcomed the members of the Judiciary and acknowledged the presence of Lieutenant Governor Patrick Quinn; Comptroller Dan Hynes; State Treasurer Alexi Giannoulas; Auditor General William Holland; Justice Mary Jane Theis of the Illinois Appellate Court; representing U.S. Senator Dick Durbin, his wife, Loretta; former Senate President Philip Rock and his wife, Sheila; former Senate Presidents Thomas Hynes and Emil Jones, Jr.; former Governor Jim Thompson; former Senator and Congressman, and now President of Southern Illinois University, Dr. Glenn Poshard; and Springfield Mayor Tim Davlin.

Invocation by the Very Reverend John F. Canary, Vicar General of the Archdiocese of Chicago.

Presentation of Colors by the Color Guard of Lincoln's Challenge Academy from Rantoul.

Senator Edward Maloney led the Senate in the Pledge of Allegiance.

The National Anthem was sung by Molly Durand.

The Governor appointed Ms. Deborah Shipley as Temporary Secretary of the Senate of the Ninety-Sixth General Assembly and Joe Agans-Dominguez as Temporary Sergeant-at-Arms.

**STATE BOARD OF ELECTIONS
STATE OF ILLINOIS
EXECUTIVE DIRECTOR
Daniel W. White**

| | |
|---|-----------------------------------|
| 1020 South Spring Street, P.O. Box 4187 | BOARD MEMBERS |
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| Fax: 312/814-6485 | |

December 2, 2008

Deborah Shipley
Secretary of the Senate
Room 401, Capitol Building
Springfield, IL 62706

Dear Ms. Shipley:

[January 14, 2009]

Enclosed is a list of individuals who have been elected to serve as members of the Illinois State Senate in the General Assembly, and have been duly certified by the State Board of Elections at their Board meeting on November 30, 2008.

If you have any questions or need additional information, please contact me.

Respectfully,
s/Mark Mossman
Director of Election Information

Newly Elected Senators

| DISTRICT | NAME AND PARTY | CITY | TERM |
|------------------|---------------------------------|-----------------|-------------|
| 2 nd | William "Willie" Delgado (D) | Chicago | 4 Years |
| 3 rd | Mattie Hunter (D) | Chicago | 4 Years |
| 5 th | Rickey R. Hendon (D) | Chicago | 4 Years |
| 6 th | John J. Cullerton (D) | Chicago | 4 Years |
| 7 th | Heather Steans (D) | Chicago | 2 Years |
| 8 th | Ira I. Silverstein (D) | Chicago | 4 Years |
| 9 th | Jeffrey M. Schoenberg (D) | Evanston | 4 Years |
| 11 th | Louis S. "Lou" Viverito (D) | Burbank | 4 Years |
| 12 th | Martin A. Sandoval (D) | Cicero | 4 Years |
| 14 th | Emil Jones, III (D) | Chicago | 4 Years |
| 15 th | James T. Meeks (D) | Chicago | 4 Years |
| 17 th | Donne E. Trotter (D) | Chicago | 4 Years |
| 18 th | Edward D. Maloney (D) | Chicago | 4 Years |
| 20 th | Iris Y. Martinez (D) | Chicago | 4 Years |
| 21 st | Dan Cronin (R) | Elmhurst | 4 Years |
| 23 rd | Carole Pankau (R) | Itasca | 4 Years |
| 24 th | Kirk W. Dillard (R) | Hinsdale | 4 Years |
| 26 th | Dan Duffy (R) | Lake Barrington | 4 Years |
| 27 th | Matt Murphy (R) | Palatine | 4 Years |
| 29 th | Susan Garrett (R) | Lake Forest | 4 Years |
| 30 th | Terry Link (D) | Waukegan | 4 Years |
| 32 nd | Pamela J. Althoff (R) | McHenry | 4 Years |
| 33 rd | Daniel W. Kotowski (D) | Park Ridge | 4 Years |
| 35 th | J. Bradley Burzynski (R) | Rochelle | 4 Years |
| 36 th | Mike Jacobs (D) | East Moline | 4 Years |
| 38 th | Gary G. Dahl (R) | Granville | 4 Years |
| 39 th | Don Harmon (D) | Oak Park | 4 Years |
| 41 st | Christine Radogno (R) | Lemont | 4 Years |
| 42 nd | Linda Holmes | Aurora | 4 Years |
| 44 th | Bill Brady (R) | Bloomington | 4 Years |
| 45 th | Tim Bivins (R) | Dixon | 4 Years |
| 47 th | John M. Sullivan (D) | Rushville | 4 Years |
| 48 th | Randall M. "Randy" Hultgren (R) | Winfield | 4 Years |
| 50 th | Larry K. Bomke (R) | Springfield | 4 Years |
| 51 st | Frank Watson (R) | Greenville | 4 Years |
| 53 rd | Dan Rutherford (R) | Chenoa | 4 Years |
| 54 th | John O. Jones (R) | Mt. Vernon | 4 Years |
| 56 th | William R. "Bill" Haine (D) | Alton | 4 Years |
| 57 th | James F. Clayborne, Jr. II (D) | Belleville | 4 Years |
| 59 th | Gary Forby (D) | Benton | 4 Years |

[January 14, 2009]

Whereupon, the Senators-elect appeared at the bar of the Senate and Justice Mary Jane Theis, Illinois Appellate Court, First District, administered to them the oath of office required by and set forth in the Constitution of the State of Illinois, to which each Senator-elect subscribed his name.

Congratulations were extended to the duly elected Senators by Justice Theis.

By Direction of the Governor, the roll call of the Senators was called by Temporary Secretary Shipley and the following answered to their name:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Kotowski | Righter |
| Bivins | Forby | Laufen | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Brady | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Silverstein |
| Clayborne | Hendon | Martinez | Steans |
| Collins | Holmes | Meeks | Sullivan |
| Cronin | Hultgren | Millner | Syverson |
| Crotty | Hunter | Munoz | Trotter |
| Dahl | Hutchinson | Murphy | Viverito |
| DeLeo | Jacobs | Noland | Wilhelmi |
| Delgado | Jones, E. | Pankau | Mr. President |
| Demuzio | Jones, J. | Radogno | |
| Dillard | Koehler | Raoul | |

The Governor announced that fifty-eight Senators answered the call of the roll; therefore, a quorum is present to conduct the business of the Senate.

The Governor announced as the next order of business the election of the President of the Senate of the Ninety-Sixth General Assembly and ruled that a vote of thirty of the members elected would be required for the election of the President of the Senate.

Senator Clayborne placed in nomination Senator John J. Cullerton of Chicago, Illinois. Senators Viverito and Steans seconded the nomination.

Senator Murphy placed in nomination Senator Christine Radogno of Lemont, Illinois. Senators Althoff and John Jones seconded the nomination.

Senator Crotty moved that there being no further nominations, the nominations for the President of the Senate be closed.

The motion prevailed.

By direction of the Governor, a call of the roll was had.

The roll call on nominations for President of the Senate was completed, resulting as follows:

| | |
|--|----|
| Total number of votes cast | 58 |
| Senator John J. Cullerton received | 37 |
| Senator Christine Radogno received | 21 |

Those voting for Senator John J. Cullerton were:

| | | | |
|-----------|------------|-----------|-------------|
| Bond | Haine | Lightford | Schoenberg |
| Clayborne | Harmon | Link | Silverstein |
| Collins | Hendon | Maloney | Steans |
| Crotty | Holmes | Martinez | Sullivan |
| DeLeo | Hunter | Meeks | Trotter |
| Delgado | Hutchinson | Munoz | Viverito |
| Demuzio | Jacobs | Noland | Wilhelmi |

[January 14, 2009]

| | | |
|----------|-----------|----------|
| Forby | Jones, E. | Radogno |
| Frerichs | Koehler | Raoul |
| Garrett | Kotowski | Sandoval |

Those voting for Senator Christine Radogno were:

| | | |
|-----------|-------------|------------|
| Althoff | Dahl | Millner |
| Bivins | Dillard | Murphy |
| Bomke | Duffy | Pankau |
| Brady | Hultgren | Righter |
| Burzynski | Jones, J. | Risinger |
| Cronin | Laufen | Rutherford |
| Cullerton | Luechtefeld | Syverson |

Whereupon the Governor announced that Senator John J. Cullerton received the votes necessary and is duly elected President of the Senate of the Ninety-Sixth General Assembly.

Congratulations were extended to Senate President John J. Cullerton by Governor Rod Blagojevich.

Senator Cullerton was escorted to the podium, where the oath of office of the President of the Senate was administered by Justice Theis.

At the hour of 1:15 o'clock p.m., Honorable John J. Cullerton, President of the Senate, presiding.

Senator Burzynski asked and obtained unanimous consent, on behalf of the Republican members of the Senate, to have Senator Christine Radogno declared the Minority Leader of the Senate of the Ninety-Sixth General Assembly.

Senator Christine Radogno appointed the following members as Minority Leadership for the Ninety-Sixth General Assembly:

| | |
|--------------------------------|--------------------------------|
| Senator Dale A. Righter | Deputy Republican Leader |
| Senator Brad Burzynski..... | Assistant Republican Leader |
| Senator John O. Jones..... | Assistant Republican Leader |
| Senator Dave Luechtefeld | Assistant Republican Leader |
| Senator Dan Rutherford..... | Assistant Republican Leader |
| Senator Dave Syverson | Senate Republican Caucus Chair |
| Senator Carole Pankau | Senate Republican Whip |

A musical selection was sung by Molly Durand.

The Benediction was offered by Rabbi Zev Shandalov of Congregation K.J.B.S. of Chicago.

President John Cullerton appointed the following members to a committee to escort the members of the Judiciary from the Senate Chambers: Senators Haine, Harmon, Raoul, Bivins and Duffy.

MESSAGE FROM THE PRESIDENT

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

| | |
|-------------------|-----------------------------|
| JOHN J. CULLERTON | 327 STATE CAPITOL |
| SENATE PRESIDENT | SPRINGFIELD, ILLINOIS 62706 |

January 14, 2009

The Honorable Deborah Shipley

[January 14, 2009]

Secretary of the Senate
403 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Senate Rule 3-5, please be advised that I have appointed the following Senators to serve on the Senate Rules Committee: Senator Clayborne (Chairman) and Senators Viverito and Harmon. These appointments are effective January 14, 2009. If you should have any questions regarding these appointments, please contact my Chief of Staff Andrew Manar at your convenience.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

COMMUNICATION FROM MINORITY LEADER

ILLINOIS STATE SENATE
CHRISTINE RADOGNO
STATE REPUBLICAN LEADER
41ST SENATE DISTRICT

January 14, 2009

Ms. Deborah Shipley
Temporary Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Madam Secretary:

Pursuant to the temporary Senate Rules of the 96th General Assembly, I hereby appoint Senator Dale Righter to serve as Minority Spokesperson of the Senate Rules Committee and Senator Kirk Dillard to serve as a member of the Committee.

These appointments are effective immediately.

Sincerely,
s/Christine Radogno
Senate Republican Leader

PRESENTATION OF RESOLUTIONS

Senators Harmon - Clayborne - Viverito offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 1

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the following officers are hereby elected for the term of the Ninety-Sixth General Assembly:

Deborah Shipley: Secretary of the Senate
Scott Kaiser: Assistant Secretary of the Senate
Joe Agans-Dominguez: Sergeant-at-Arms

[January 14, 2009]

Tracey Sidles: Assistant Sergeant-at-Arms

Senators Harmon - Clayborne - Viverito offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 2

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the following (which are the same as the Rules of the Senate of the 95th General Assembly except as indicated by striking and underscoring) are adopted as the Rules of the Senate of the Ninety-sixth General Assembly:

ARTICLE I

DEFINITIONS

As used in these Senate Rules, the following terms have the meanings ascribed to them in this Article I, unless the context clearly requires a different meaning:

(Senate Rule 1-1)

1-1. Chairperson. "Chairperson" means that Senator designated by the President to serve as chair of a committee.

(Senate Rule 1-2)

1-2. Committee. "Committee" means a committee of the Senate and includes a standing committee, a special committee, and a special subcommittee of a committee. "Committee" does not mean a conference committee, and the procedural and notice requirements applicable to committees do not apply to conference committees.

(Senate Rule 1-3)

1-3. Constitution. "Constitution" means the Constitution of the State of Illinois.

(Senate Rule 1-3.5 new)

1-3.5. Deputy Minority Leader. "Deputy Minority Leader" means a Senator designated by the Senate Minority Leader to assist the Minority Leader with the operation of the minority caucus of the Senate.

(Senate Rule 1-4)

1-4. General Assembly. "General Assembly" means the current General Assembly of the State of Illinois.

(Senate Rule 1-5)

1-5. House. "House" means the House of Representatives of the General Assembly.

(Senate Rule 1-6)

1-6. Joint Action Motion. "Joint action motion" means any of the following motions before the Senate: to concur in a House amendment, to non-concur in a House amendment, to recede from a Senate amendment, to refuse to recede from a Senate amendment, and to request that a conference committee be appointed.

(Senate Rule 1-7)

1-7. Legislative Digest. "Legislative Digest" means the Legislative Synopsis and Digest that is prepared by the Legislative Reference Bureau of the General Assembly.

(Senate Rule 1-8)

1-8. Legislative Measure. "Legislative measure" means any matter brought before the Senate for consideration, whether originated in the Senate or House, and includes bills, amendments, resolutions, conference committee reports, motions, and messages from the executive branch.

(Senate Rule 1-9)

1-9. Majority. "Majority" means a simple majority of those members present and voting on a question. Unless otherwise specified with respect to a particular Senate Rule, for purposes of determining the number of members present and voting on a question, a "present" vote shall not be counted.

(Senate Rule 1-10)

1-10. Majority Caucus. "Majority caucus" means that group of Senators from the numerically strongest political party in the Senate. "Majority caucus" also includes any Senator who is not from the numerically strongest or numerically second strongest political party in the Senate but who casts his or her final vote for Senate President for the person who is elected Senate President.

(Senate Rule 1-10.5 new)

1-10.5. Majority Leader. "Majority Leader" means a Senator designated by the Senate President to

[January 14, 2009]

serve as the Majority Leader and assist the President with the operation of the Senate and the majority caucus of the Senate.

(Senate Rule 1-11)

1-11. Majority of those Appointed. "Majority of those appointed" means an absolute majority of the total number of Senators appointed to a committee.

(Senate Rule 1-12)

1-12. Majority of those Elected. "Majority of those elected" means an absolute majority of the total number of Senators entitled to be elected to the Senate, irrespective of the number of elected or appointed Senators actually serving in office. So long as 59 Senators are entitled to be elected to the Senate, "majority of those elected" shall mean 30 affirmative votes.

(Senate Rule 1-13)

1-13. Member. "Member" means a Senator. Where the context so requires, "member" may also mean a Representative of the Illinois House of Representatives.

(Senate Rule 1-14)

1-14. Members Appointed. "Members appointed" means the total number of Senators appointed to a committee.

(Senate Rule 1-15)

1-15. Members Elected. "Members elected" means the total number of Senators entitled to be elected to the Senate, irrespective of the number of elected or appointed Senators actually serving in office. So long as 59 Senators are entitled to be elected in the Senate, "members elected" shall mean 59 Senators.

(Senate Rule 1-16)

1-16. Minority Caucus. "Minority caucus" means that group of Senators from other than the majority caucus.

(Senate Rule 1-17)

1-17. Minority Leader. "Minority Leader" means the Minority Leader of the Senate.

(Senate Rule 1-18)

1-18. Minority Spokesperson. "Minority Spokesperson" means that Senator designated by the Minority Leader to serve as the Minority Spokesperson of a committee.

(Senate Rule 1-19)

1-19. Perfunctory Session. "Perfunctory session" means the convening of the Senate, pursuant to the scheduling of the President, for purposes consistent with Rule 4-1(c) or (d).

(Senate Rule 1-20)

1-20. President. "President" means the President of the Senate.

(Senate Rule 1-21)

1-21. Presiding Officer. "Presiding Officer" means that Senator serving as the presiding officer of the Senate, whether that Senator is the President or another Senator designated by the President, in his or her capacity as presiding officer.

(Senate Rule 1-22)

1-22. Principal Sponsor. "Principal sponsor" means the first listed Senate sponsor of any legislative measure; with respect to a committee-sponsored bill or resolution, it means the Chairperson of the committee.

(Senate Rule 1-23)

1-23. Secretary. "Secretary" means the elected Secretary of the Senate.

(Senate Rule 1-24)

1-24. Senate. "Senate" means the Senate of the General Assembly.

(Senate Rule 1-25)

1-25. Senator. "Senator" means any of the duly elected or duly appointed Illinois State Senators, and means the same as "member".

(Senate Rule 1-26)

1-26. Term. "Term" means the two-year term of a General Assembly.

(Senate Rule 1-27)

1-27. Vice-Chairperson. "Vice-Chairperson" means that Senator designated by the President to serve as Vice-Chairperson of a committee.

ARTICLE II

ORGANIZATION

(Senate Rule 2-1)

[January 14, 2009]

2-1. Adoption of Rules. At the commencement of a term, the Senate shall adopt new Rules of organization and procedure by resolution setting forth those Rules in their entirety. The resolution must be adopted by a majority of those elected. These Rules of the Senate are subject to revision or amendment only in accordance with Rule 7-17.

(Senate Rule 2-2)

2-2. Election of the President.

(a) Prior to the election of the President, the Governor shall convene the Senate, designate a Temporary Secretary of the Senate, and preside during the nomination and election of the President. As the first item of business each day prior to the election of the President, the Governor shall order the Temporary Secretary to call the roll of the members to establish the presence of a quorum as required by the Constitution. If a majority of those elected are not present, the Senate shall stand adjourned until the hour of 12:00 noon on the next calendar day, excepting weekends. If a quorum of members is present, the Governor shall then call for nominations of members for the Office of President. All such nominations shall require a second. When the nominations are completed, the Governor shall direct the Temporary Secretary to call the roll of the members to elect the President.

(b) The election of the President shall require the affirmative vote of a majority of those elected. Debate shall not be in order following nominations and preceding or during the vote, and Senators may not explain their vote on the election of the President.

(c) No bills may be considered and no committees may be appointed or meet prior to the election of the President.

(d) When a vacancy in the Office of President occurs, the foregoing procedure shall be employed to elect a new President; however, when the Governor is of a political party other than that of the majority caucus, the Assistant Majority Leader having the greatest seniority of service in the Senate shall preside during the nomination and election of the successor President. No legislative measures, other than such nominations and election, may be considered by the Senate during a vacancy in the Office of President.

(Senate Rule 2-3)

2-3. Election of the Minority Leader. The Senate shall elect a Minority Leader in a manner consistent with the Constitution and laws of Illinois.

(Senate Rule 2-4)

2-4. Majority Leader, Deputy Minority Leader, and Assistant Leaders.

(a) The President shall appoint from within the Majority Caucus a Majority Leader. The Minority Leader shall appoint from within the Minority Caucus a Deputy Minority Leader. The President and the Minority Leader shall appoint from within their respective caucuses the number of Assistant Majority Leaders and Assistant Minority Leaders as are allowed by law.

(b) These appointments shall take effect upon their being filed with the Secretary and shall remain effective for the duration of the term unless a vacancy occurs by reason of resignation or because an assistant leader has ceased to be a Senator. Successor assistant leaders shall be appointed in the same manner as their predecessors. Assistant leaders shall have those powers delegated to them by the President or Minority Leader, as the case may be.

(Senate Rule 2-5)

2-5. Powers and Duties of the President.

(a) The President shall have those powers conferred upon him or her by the Constitution, the laws of Illinois, and any motions or resolutions adopted by the Senate or jointly by the Senate and House.

(b) Except as provided by law with respect to the Senate Operations Commission, the President is the chief administrative officer of the Senate and shall have those powers necessary to carry out that function. The President may delegate his or her administrative duties as he or she deems appropriate.

(c) The powers and duties of the President shall include, but are not limited to, the following:

- (1) To preside at all sessions of the Senate, although the President may call on any member to preside temporarily.

(2) To open the session at the time at which the Senate is to meet by taking the podium and calling the members to order. The President may call on any member, or the Secretary in case of perfunctory session, to open the session.

(3) To announce the business before the Senate in the order in which it is to be acted upon.

(4) To recognize those members entitled to the floor.

(5) To state and put to vote all questions that are regularly moved or that necessarily arise in the course of the proceedings, and to announce the result of the vote.

(6) To preserve order and decorum.

(7) To decide all points of order, subject to appeal, and to speak thereon in preference to other members.

(8) To inform the Senate when necessary, or when any question is raised, on any point of order or practice pertinent to the pending business.

(9) To sign or authenticate all acts, proceedings, or orders of the Senate. All writs, warrants, and subpoenas issued by order of the Senate or one of its committees shall be signed by the President and attested by the Secretary.

(10) To sign all bills passed by both chambers of the General Assembly in order to certify that the procedural requirements for passage have been met.

(11) To have general supervision, including the duty to protect the security and safety, of the Senate chamber, galleries, and adjoining and connecting hallways and passages, including the power to clear them when necessary.

(12) To have general supervision of the Secretary and his or her assistants, the Sergeant-at-Arms and his or her assistants, the majority caucus staff, and all employees of the Senate except the minority caucus staff.

(13) To determine the number of majority caucus members and minority caucus members to be appointed to all committees, except the ~~Rules~~ Committee on Assignments created by Rule 3-5.

(14) To appoint or replace all majority caucus members of committees and to designate all Chairpersons, Co-Chairpersons, and Vice-Chairpersons of committees, except as the Senate otherwise orders in accordance with these Senate Rules.

(15) To enforce all constitutional provisions, statutes, rules, and regulations applicable to the Senate.

(16) To guide and direct the proceedings of the Senate subject to the control and will of the members as provided in these Senate Rules.

(17) To direct the Secretary during regular session, veto session, special session, or perfunctory session to read into the Senate record legislative measures and other papers.

(18) To direct the Secretary to correct non-substantive errors in the Journal.

(19) To assign meeting places and meeting times to committees.

(20) To decide, subject to the control and will of the members in accordance with these Senate Rules, all questions relating to the priority of business.

(21) To appoint a parliamentarian to serve at the pleasure of the President.

(d) The President, at his or her discretion, may designate from among those members serving in the statutorily created positions of assistant majority leader, no more than one member to serve as the Senate Majority Leader. The Senate Majority Leader shall serve at the pleasure of the President and shall receive no additional compensation other than that provided statutorily for the position of assistant majority leader.

(e) This Rule may be suspended by a vote of three-fifths of the members elected.
(Senate Rule 2-6)

2-6. Powers and Duties of the Minority Leader.

(a) The Minority Leader shall have those powers conferred upon him or her by the Constitution, the laws of Illinois, and any motions or resolutions adopted by the Senate or jointly by the Senate and House.

(b) The Minority Leader shall appoint to all committees the members from the minority caucus, and may replace those members, and shall designate a Minority Spokesperson for each committee, except as the Senate otherwise orders in accordance with these Senate Rules.

(c) The Minority Leader shall have general supervision of the minority caucus staff.
(Senate Rule 2-7)

2-7. Secretary of the Senate.

(a) The Senate shall elect a Secretary, who may adopt appropriate policies or procedures for the conduct of his or her office. Except where the authority is by law given to the Senate Operations Commission, the President shall be the final arbiter of any dispute arising in connection with the operation of the Office of the Secretary.

(b) The duties of the Secretary shall include the following:

(1) To have custody of all bills, papers, and records of the Senate, which shall not be taken out of the Secretary's custody except in the regular course of business in the Senate.

(2) To endorse on every original bill and each copy its number, names of sponsors, the date of introduction, and the several orders taken on it. When printed, the names of the sponsors shall appear on the front page of the bill in the same order they appeared when introduced.

(3) To cause each bill to be placed on the desks of the members as soon as it is printed, or alternatively to provide for a method that any Senator may use to secure a copy of any bill he or she desires.

(4) To keep the Journal of the proceedings of the Senate and, under the direction of the President, correct errors in the Journal.

(5) To keep the transcripts of the debates of the Senate and make them available to the public under reasonable conditions.

(6) To keep the necessary records for the Senate and its committees and to prepare the Senate Calendar for each legislative day.

(7) To examine all Senate Bills and Constitutional Amendment Resolutions following Second Reading and prior to final passage, for the purpose of correcting any non-substantive errors therein, and to report the same back to the President promptly; to supervise the enrolling and engrossing of bills and resolutions, subject to the direction of the President; and to certify passage or adoption of legislative measures, and to note thereon the date of final Senate action. Any corrections suggested to the President by the Secretary, and thereafter approved by the Senate, shall be entered upon the Journal.

(8) To transmit bills, other documents, and other messages to the House and secure a receipt therefor, and to receive from the House bills, documents, and receipts therefor.

(9) To file with the Secretary of State those debate transcripts and Senate documents as are required by law.

(10) To attend every session of the Senate; record the roll; and read into the Senate record legislative measures and other papers as directed by the Presiding Officer. Bills shall be read by title only. Upon initial reading, motions may be read by title and sponsor only.

(11) To supervise all Assistant Secretaries and other employees of his or her office, as well as all committee clerks in their capacity as committee clerks.

(12) To establish the format for all documents, forms, and committee records prepared by committee clerks.

(13) To perform those duties as assigned by the President.

(Senate Rule 2-8)

2-8. Assistant Secretary of the Senate. The Senate shall, in a manner consistent with the laws of Illinois, elect an Assistant Secretary, who shall perform those duties assigned to him or her by the Secretary.

(Senate Rule 2-9)

2-9. Sergeant-at-Arms. The Senate shall elect a Sergeant-at-Arms who shall perform those duties assigned to him or her by law, or as are ordered by the President or Presiding Officer. Such duties shall include the following:

(1) To attend the Senate during its sessions and execute the commands of the Senate, together with all process issued by authority of the Senate, that are directed to him or her by the President or Presiding Officer.

(2) To maintain order among spectators admitted into the Senate chambers, galleries, and adjoining or connecting hallways and passages.

(3) To take proper measures to prevent interruption of the Senate.

(4) To supervise any Assistant Sergeant-at-Arms.

(5) To perform those duties as assigned by the President.

(Senate Rule 2-10)

2-10. Schedule.

(a) The President shall periodically establish a schedule of days on which the Senate shall convene in regular and veto session, with that schedule subject to revisions at the discretion of the President. The President may also at his or her discretion schedule perfunctory sessions of the Senate. The President may establish deadlines for the following legislative actions:

(1) Final day to request bills from the Legislative Reference Bureau.

(2) Final day for introduction of bills.

(3) Final day for standing committees of the Senate to report Senate bills, except Senate appropriations bills.

(4) Final day for standing committees of the Senate to report Senate appropriation bills.

(5) Final day for Third Reading and passage of Senate bills, except Senate appropriation bills.

(6) Final day for Third Reading and passage of Senate appropriation bills.

(7) Final day for standing committees of the Senate to report House appropriation bills.

(8) Final day for standing committees of the Senate to report House bills, except appropriation bills.

(9) Final day for Third Reading and passage of House appropriation bills.

(10) Final day for Third Reading and passage of House non-appropriation bills.

(b) The President may establish additional deadlines for final action on conference committee reports and any categories of joint action motions.

(c) The foregoing deadlines shall become effective upon being filed by the President with the Secretary. The Secretary shall Journalize the deadlines.

(d) At any time, the President may schedule alternative deadlines for any legislative action pursuant to written notice filed with the Secretary.

[January 14, 2009]

(e) The President may schedule deadlines for any other legislative measure as he or she deems appropriate pursuant to written notice filed with the Secretary.

ARTICLE III

COMMITTEES

(Senate Rule 3-1)

3-1. Committees.

(a) The committees of the Senate are: (i) the standing committees listed in Rule 3-4; (ii) special committees created by resolution or notice under Rule 3-3; and (iii) special subcommittees created by standing committees or by special committees under Rule 3-3. Subcommittees may not create subcommittees.

(b) All committees shall have a Chairperson and Minority Spokesperson, who shall not be of the same caucus, except as provided in Rule 3-2. Committees of the whole shall consist of all Senators. The number of majority caucus members and minority caucus members of all standing committees, and all other committees unless otherwise ordered by the Senate in accordance with these Senate Rules, shall be determined by the President. The numbers of majority caucus and minority caucus members shall become final upon the President filing with the Secretary an appropriate notice, which shall be Journalized.

(c) The Chairperson of a committee shall have the authority to call the committee to order, designate which legislative measures shall be taken up, order the roll call vote to be taken on each legislative measure called for a vote, preserve order and decorum during committee meetings, assign legislative measures to special subcommittees of the parent committee, jointly sign and issue subpoenas with the President, and implement and supervise the business of the committee. The Vice-Chairperson of a committee may preside over its meetings in the absence or at the direction of the Chairperson.

(d) A vacancy on a committee, or in the Chairperson or Minority Spokesperson position on a committee, occurs when a member resigns from that position or ceases to be a Senator. Resignations shall be made in writing to the Secretary, who shall promptly notify the President and Minority Leader. Absent concurrence by a majority of those elected, or as otherwise provided in Rule 3-5, no member who resigns from a committee shall be reappointed to that committee for the remainder of the term. Replacement members shall be of the same caucus as that of the member who resigns, and shall be appointed by the President or Minority Leader, depending upon the caucus of the resigning member. In the case of vacancies on special subcommittees that were created by committees, the parent committee shall fill the vacancy by motion.

(e) The Chairperson of a committee shall have the authority to call meetings of that committee, subject to the approval of the President in accordance with Rule 2-5(c)(19). Except as otherwise provided by these Senate Rules, committee meetings shall be convened in accordance with Rule 3-11.

(Senate Rule 3-2)

3-2. Membership and Officers of Standing Committees.

(a) At the commencement of the term, the members of each standing committee shall be appointed for the term by the President and the Minority Leader, except as provided in subsection (c) of this Rule or in Rule 3-5. The President shall appoint the Chairperson and the remaining committee members of the majority caucus (one of whom the President shall designate as Vice-Chairperson), and the Minority Leader shall appoint the Minority Spokesperson and the remaining committee members of the minority caucus, except as provided in paragraph (b) of this Rule. The appointments shall become immediately effective upon the delivery of appropriate correspondence from each of the respective leaders to the Secretary, regardless of whether the Senate is in session. The Chairperson and Minority Spokesperson shall serve at the pleasure of the President or Minority Leader, as the case may be. The Secretary shall Journalize all appointments. A standing committee is empowered to conduct business when a majority of the total number of committee members has been appointed.

(b) Notwithstanding any other provision of these Senate Rules, the President may appoint any two members to serve as Co-Chairpersons of a standing committee. Co-Chairpersons shall not be of the same caucus and shall serve at the pleasure of the President. A standing committee with Co-Chairpersons shall

[January 14, 2009]

not have a Minority Spokesperson. For purposes of Section 1 of the General Assembly Compensation Act (25 ILCS 115/1), one Co-Chairperson shall be considered "chairman" and the other shall be considered "minority spokesperson". Co-Chairperson appointments shall become immediately effective upon the delivery of appropriate correspondence from the President to the Secretary, regardless of whether the Senate is in session. The Secretary shall Journalize all appointments.

(c) To maintain the efficient operation of the Senate, ~~any~~ a committee member may be temporarily replaced due to illness or an unforeseen absence ~~from the Capitol~~. The temporary appointment is effective upon delivery of appropriate correspondence from the President or Minority Leader, depending upon the caucus of the member affected, and shall remain effective for the duration of the illness or temporary absence ~~from the Capitol~~.

(Senate Rule 3-3)

3-3. Special Committee and Subcommittees.

(a) The Senate may create special committees by resolution adopted by a majority of those elected. The President also may create special committees by filing a notice of the creation of the special committee with the Secretary. The appointed members of a special committee shall be designated by the President and the Minority Leader in the same manner outlined in Rule 3-2 with respect to standing committees.

(b) A committee may create a special subcommittee by motion adopted by a majority of those appointed. The members of a special subcommittee shall come from the membership of the creating committee, and shall be appointed in the manner determined by the creating committee.

(c) The resolution, motion, or notice creating a special committee or special subcommittee shall specify the subject matter of the special committee or subcommittee and the number of members to be appointed thereto, and may specify a reporting date during the term (in which event the special committee or subcommittee is abolished as of that date). Unless an earlier date is specified by resolution, motion, or notice, special committees and subcommittees shall expire at the end of the term.

(d) When the Senate is not in session, Special Temporary Committees may be created and appointed by the President. The actions of the President and of a Special Temporary Committee shall stand as the action of the Senate unless the action is amended or modified on a roll call vote by a majority of those elected during the next day the Senate convenes.

(e) In accordance with Section 1 of the General Assembly Compensation Act (25 ILCS 115/1), no Chairperson or Minority Spokesperson of a committee created under this Rule shall receive additional compensation for such service.

(Senate Rule 3-4)

3-4. Standing Committees. The Standing Committees of the Senate are as follows:

AGRICULTURE AND CONSERVATION

APPROPRIATIONS I

APPROPRIATIONS II

~~APPROPRIATIONS III~~

~~COMMERCE AND ECONOMIC DEVELOPMENT~~

CONSUMER PROTECTION

CRIMINAL LAW

EDUCATION

ELECTIONS

ENERGY

[January 14, 2009]

~~ENVIRONMENT AND ENERGY~~

EXECUTIVE

EXECUTIVE APPOINTMENTS

FINANCIAL INSTITUTIONS

GAMING

HUMAN SERVICES

HIGHER EDUCATION

~~HOUSING AND COMMUNITY AFFAIRS~~

INSURANCE

~~JUDICIARY – CIVIL LAW~~

~~JUDICIARY – CRIMINAL LAW~~

LABOR

LICENSED ACTIVITIES

LOCAL GOVERNMENT

PENSIONS AND INVESTMENTS

PUBLIC HEALTH

REDISTRICTING

REVENUE

STATE GOVERNMENT AND VETERANS AFFAIRS

TELECOMMUNICATIONS AND INFORMATION TECHNOLOGY

TRANSPORTATION

(Senate Rule 3-5)

3-5. Service Committee.

(a) In addition to the standing committees, there is a permanent service committee known as the "~~Rules~~ Committee on Assignments". The ~~Rules~~ Committee on Assignments shall have those powers and duties that are outlined in these Senate Rules, as well as those that may be periodically ordered in accordance with these Senate Rules.

(b) The ~~Rules~~ Committee on Assignments shall consist of five members, three of whom shall be appointed by the President and two of whom shall be appointed by the Minority Leader. Both the President and the Minority Leader shall be eligible to be appointed to the ~~Rules~~ Committee on Assignments. The ~~Rules~~ Committee on Assignments shall be empowered to conduct business when a majority of the total number of its members has been appointed.

(c) The majority caucus members of the ~~Rules~~ Committee on Assignments shall serve at the pleasure of the President, and the minority caucus members shall serve at the pleasure of the Minority Leader. Appointments thereto shall be by notice filed with the Secretary, and shall be effective for the balance of the term or until a replacement appointment is made, whichever first occurs. Appointments shall take

[January 14, 2009]

effect upon filing with the Secretary regardless of whether the Senate is in session. Notwithstanding any other provision of these Senate Rules, any Senator who is replaced on the Rules Committee on Assignments may be reappointed to the Rules Committee on Assignments without concurrence of the Senate.

(d) Notwithstanding any other provision of these Senate Rules, the Rules Committee on Assignments may meet upon reasonable public notice. All legislative measures pending before the Rules Committee on Assignments shall be eligible for consideration at any meeting thereof, and all such legislative measures shall be deemed posted for hearing by the Rules Committee on Assignments for all of its meetings.

(e) This Rule may be suspended by a vote of three-fifths of the members elected.
(Senate Rule 3-6)

3-6. Referrals of Resolutions, Messages, and Reorganization Orders.

(a) All resolutions, after being initially read by the Secretary, shall be automatically referred to the Rules Committee on Assignments unless the Presiding Officer determines that the resolution is a death resolution and orders that the resolution be placed on the Resolutions Consent Calendar. Resolutions determined by the Rules Committee on Assignments to be of a non-substantive, commemorative, or congratulatory nature shall be returned to the principal sponsor for action pursuant to Rule 6-4. No resolution may be placed on the Resolutions Consent Calendar if any member objects.

(b) All messages from the Governor or any other executive branch Constitutional Officer regarding appointments that require confirmation by the Senate shall, after having been initially read by the Secretary, automatically be referred to the Executive Appointments Committee.

(c) All executive reorganization orders of the Governor issued pursuant to Article V, Section 11 of the Constitution, after being read into the record by the Secretary, shall automatically be referred to the Rules Committee on Assignments for its referral to a committee, the latter of which may issue a recommendation to the Senate with respect to the executive order. The Senate may disapprove of any executive order only by resolution adopted by a majority of those elected; no such resolution is in order until a committee has reported to the Senate on the executive reorganization, or until the executive order has been discharged pursuant to Rule 7-9.

(Senate Rule 3-7)

3-7. Rules Committee on Assignments.

(a) The Rules Committee on Assignments may consider any legislative measure referred to it pursuant to Rules 3-6, 3-8 and 3-9, by motion or resolution, or by order of the Presiding Officer upon initial reading. The Rules Committee on Assignments may, with the concurrence of a majority of those appointed, sponsor motions or resolutions; notwithstanding any other provision of these Senate Rules, any motion or resolution sponsored by the Rules Committee on Assignments may be immediately considered by the Senate without reference to a committee.

(b) During even-numbered years, the Rules Committee on Assignments shall refer to a committee of the Senate only appropriation bills implementing the budget and other legislative measures deemed by the Rules Committee on Assignments to be of an emergency nature or to be of substantial importance to the operation of government. This subsection (b) applies equally to Senate Bills and House Bills introduced into or received by the Senate.

(Senate Rule 3-8)

3-8. Referrals to Committees.

(a) All Senate Bills and House Bills shall, after having been initially read by the Secretary, be automatically referred to the Rules Committee on Assignments, which may thereafter refer any bill before it to a committee. The Rules Committee on Assignments may refer any resolution before it to a committee. No bill or resolution may be referred to a committee except pursuant to this Rule or Rule 7-17. A standing or special committee may refer a matter pending in that committee to a special subcommittee of that committee.

(b) All floor amendments, joint action motions for final action, and conference committee reports shall, upon filing with the Secretary, be automatically referred to the Rules Committee on Assignments. No such amendment, joint action motion, or conference committee report may be considered by the Senate unless approved for consideration by the Rules Committee on Assignments. The Rules

Committee on Assignments may approve for consideration to the Senate any floor amendment, joint action motion for final action, or conference committee report that: (i) consists of language that has previously been favorably reported to the Senate by a committee; (ii) consists of technical or clarifying language; or (iii) consists of language deemed by the ~~Rules~~ Committee on Assignments to be of an emergency nature, of substantial importance to the operation of government, or in the best interests of Illinois. The ~~Rules~~ Committee on Assignments may refer any floor amendment, joint action motion for final action, or conference committee report to a committee for its review and consideration (in those instances, and notwithstanding any other provision of these Senate Rules, the committee may hold a hearing on and consider those legislative measures pursuant to one-hour advance notice). Any floor amendment, joint action motion for final action, or conference committee report that is not approved for consideration or referred by the ~~Rules~~ Committee on Assignments, and is attempted to be acted upon by a committee shall be out of order, except as provided for under Rule 8-4.

(c) All committee amendments shall, upon filing with the Secretary, be automatically referred to the ~~Rules~~ Committee on Assignments. No committee amendment may be considered by a committee unless the committee amendment is referred to the committee by the ~~Rules~~ Committee on Assignments. Any committee amendment referred by the ~~Rules~~ Committee on Assignments shall be referred to the committee before which the underlying bill or resolution is pending. Any committee amendment that is not referred by the ~~Rules~~ Committee on Assignments to a committee, and is attempted to be acted upon by a committee shall be out of order.

(d) The ~~Rules~~ Committee on Assignments may at any time re-refer a legislative measure from a committee to a Committee of the Whole or to any other committee.

(e) This Rule may be suspended by a vote of three-fifths of the members elected.
(Senate Rule 3-9)

3-9. Re-Referrals to the ~~Rules~~ Committee on Assignments.

(a) All legislative measures, with the exception of resolutions to amend the State Constitution, that have failed to meet the applicable deadline established in accordance with Rule 2-10 for reporting to the Senate by a standing committee shall automatically be re-referred to the ~~Rules~~ Committee on Assignments unless: (i) the deadline has been suspended pursuant to Rule 7-17, with re-referral to the ~~Rules~~ Committee on Assignments to occur if the bill has not been reported to the Senate in accordance with the revised deadline; or (ii) the ~~Rules~~ Committee on Assignments has issued a written exception to the Secretary with respect to a particular bill prior to the reporting deadline, with re-referral to occur, if at all, in accordance with the written exception. Should the President in accordance with Rule 2-10 establish deadlines for action on joint action motions or conference committee reports, the foregoing re-referral provisions and exceptions shall apply with respect to those legislative measures that fail to meet those deadlines.

(b) All legislative measures, with the exception of resolutions to amend the State Constitution, pending before the Senate or any of its committees shall automatically be re-referred to the ~~Rules~~ Committee on Assignments on the 31st consecutive day that the Senate has not convened for session unless: (i) this Rule has been suspended in accordance with Rule 7-17; or (ii) the ~~Rules~~ Committee on Assignments has issued a written exception to the Secretary prior to that 31st day.

(Senate Rule 3-10)

3-10. Reporting by Committees. Committees shall report to the Senate, and subcommittees shall report to their parent committees.

(Senate Rule 3-11)

3-11. Committee Procedure.

(a) A committee may consider any legislative measure referred to it and may make with respect to that legislative measure one of the following reports to the Senate or to the parent committee, as appropriate:

- (1) that the bill "do pass";
- (2) that the bill "do not pass";
- (3) that the bill "do pass as amended";
- (4) that the bill "do not pass as amended";

- (5) that the resolution "be adopted";
- (6) that the resolution "be not adopted";
- (7) that the resolution "be adopted as amended";
- (8) that the resolution "be not adopted as amended";
- (9) that the floor amendment, joint action motion, or conference committee report "recommend do adopt";
- (10) that the floor amendment, joint action motion, or conference committee report "recommend do not adopt";
- (11) "without recommendation"; or
- (12) that the legislative measure "be re-referred to the ~~Rules~~ Committee on Assignments".

Any of the foregoing reports may only be made upon the concurrence of a majority of those appointed. All legislative measures reported "do pass", "do pass as amended", "be adopted", "be adopted as amended", or "be approved for consideration" shall be deemed favorably reported to the Senate. Except as otherwise provided by these Senate Rules, any legislative measure referred to a committee and not reported pursuant to this Rule shall remain in that committee. Pursuant to Rules 3-11(g) and 7-10, a committee may report a legislative measure as tabled.

(b) No bill that provides for an appropriation or expenditure of money from the State Treasury may be considered for passage by the Senate unless it has first been reported to the Senate by an Appropriations Committee, unless:

- (1) the bill was discharged from an Appropriations Committee in accordance with Rule 7-9;
- (2) the bill was exempted from this requirement by a majority of those appointed to the ~~Rules~~ Committee on Assignments; or
- (3) this Rule was suspended in accordance with Rule 7-17.

(c) The Chairperson of each committee shall keep, or cause to be kept, a record in which there shall be entered:

- (1) The time and place of each meeting of the committee.
- (2) The attendance of committee members at each meeting.
- (3) The votes cast by the committee members on all legislative measures acted upon by the committee.
- (4) All witness slips that may have been presented to the committee.
- (5) Such additional information as may be requested by the Secretary.

(d) The committee Chairperson shall file with the Secretary, along with every bill or resolution reported upon, a sheet containing such information as is required by the Secretary. The Secretary may adopt forms, policies, and procedures with respect to the preparation, filing, and maintenance of these reports.

(e) Except as provided in Rule 3-5 or 3-8 or unless this Rule is suspended pursuant to Rule 7-17, no committee may consider or conduct a hearing with respect to a legislative measure absent notice first being given as follows:

[January 14, 2009]

(1) The Chairperson of the committee shall, no later than six days before any proposed hearing, post a notice on the Senate bulletin board, or electronically make the notice available, identifying each legislative measure that may be considered during that hearing. The notice shall contain the day, hour, and place of the hearing.

(2) Meetings of the ~~Rules~~ Committee on Assignments may be called pursuant to Rule 3-5; meetings of committees to consider floor amendments, joint action motions, and conference committee reports may be called pursuant to Rule 3-8.

(3) The Chairperson shall, in advance of a committee hearing, notify all principal sponsors of legislative measures posted for hearing of the date, time, and place of hearing. When practicable, the Secretary shall include a notice of all scheduled hearings, together with all posted bills and resolutions, in the Daily Calendar of the Senate.

Irrespective of whether a legislative measure has been posted for hearing, it shall be in order for a committee during any of its meetings to refer that legislative measure pending before it to a subcommittee of that committee.

(f) Other than the ~~Rules~~ Committee on Assignments, no committee may meet during any session of the Senate, and no commission created by Illinois law that has legislative membership may meet during any session of the Senate.

(g) Regardless of whether notice has been previously given, it is always in order for a committee to order any legislative measure pending before it to lie on the table when the principal sponsor so requests. When reported to the Senate, such committee action shall stand as the action of the Senate.

(h) When a committee fails to report a legislative measure pending before it to the Senate, or when a committee fails to hold a public hearing on a legislative measure pending before it, the exclusive means of bringing that legislative measure directly before the Senate for its consideration is pursuant to Rule 7-9.

(i) No bill or resolution may be called for a vote in committee in the absence of the principal sponsor, ~~except that, with or the chief cosponsor when the committee so consents, without~~ the approval of the principal sponsor and the consent of the committee, a bill or resolution may be called for a vote in committee by a chief cosponsor of the bill or resolution or by a member of the same caucus as the principal sponsor who is either the Committee Chairperson, Committee Co-Chairperson, Committee Vice-Chairperson, or Minority Spokesperson.

(j) A committee may conduct a legislative investigation with regard to legislative measures pending before the committee.

(Senate Rule 3-12)

3-12. Committee Reports.

(a) All bills favorably reported to the Senate from a committee, or with respect to which a committee has been discharged, shall stand on the order of Second Reading unless otherwise ordered by the Senate, and may be amended only on Second Reading. Bills reported to the Senate from committee "do not pass", "do not pass as amended", or "without recommendation" shall lie on the table.

(b) All floor amendments, joint action motions, and conference committee reports favorably reported to the Senate from a committee shall be before the Senate and eligible for consideration by the Senate when it is on an appropriate order of business (floor amendments may be considered by the Senate only when the bill to be amended is on Second Reading). All floor amendments, joint action motions, and conference committee reports that are reported to the Senate from committee "recommend do not adopt" or "without recommendation" shall lie on the table.

(c) All resolutions favorably reported to the Senate from a committee, or with respect to which a committee has been discharged, shall stand on the order of Resolutions. All resolutions that are reported to the Senate from committee "be not adopted", "be not adopted as amended", or "without recommendation" shall lie on the table. Floor amendments to resolutions shall be subject to the same procedure applicable to floor amendments to bills.

(Senate Rule 3-13)

3-13. Witnesses, Oaths, Affirmations, and Subpoenas.

(a) Standing committees may administer oaths (or affirmations) and may compel, by subpoena, any person or entity to (i) appear and give testimony as a witness before the standing committee, (ii) produce papers, documents, and other materials relating to a legislative measure pending before the standing committee, or (iii) do both (i) and (ii).

(b) Special committees may administer oaths (or affirmations) and may compel, by subpoena, any person or entity to (i) appear and give testimony before the special committee, (ii) produce papers, documents, and other materials relating to the subject matter for which the special committee was created or relating to a legislative measure pending before the special committee, or (iii) do both (i) and (ii).

(c) A committee of the whole may administer oaths (or affirmations) and may compel, by subpoena, any person or entity to (i) appear and give testimony before the committee of the whole, (ii) produce papers, documents, and other materials relating to the subject matter for which the committee of the whole was created or relating to a legislative measure pending before the committee of the whole, or (iii) do both (i) and (ii).

(d) Oaths may be administered under this Rule by the Presiding Officer or by the Chairperson of a committee or any person sitting in his or her stead.

(e) Subpoenas issued under this Rule must be issued and signed by the Chairperson of the committee and must comply with Rule 2-5(c)(9).

(f) A subpoena may specify terms and times of production other than at a meeting or hearing of the committee issuing the subpoena.

(g) A subpoenaed witness has all the rights and privileges afforded him or her under the rules, laws, and constitution of the State of Illinois.

(h) A witness who gives testimony under subpoena has a right to counsel of his or her own choosing.

(i) A witness who gives testimony under subpoena may be compensated for travel expenses to the same extent as legislators and legislative employees under the Rules of the Legislative Travel Control Board.

(j) The President and the Chairperson of the committee issuing a subpoena each have standing to enforce the subpoena in any court of competent jurisdiction within the State of Illinois, and seek enforcement remedies recognized under the rules, laws, and constitution of the State of Illinois.

(k) In the case of special committees with Co-Chairpersons from different political parties, the term "Chairperson" for purposes of this Rule means the Co-Chairperson from the majority caucus.

ARTICLE IV

CONDUCT OF BUSINESS

(Senate Rule 4-1)

4-1. Sessions of the Senate.

(a) The Senate shall be deemed in session whenever it convenes in perfunctory session, regular session, veto session, or special session. Members shall be entitled to per diem expense reimbursements only on those regular, veto, and special session days that they are in attendance at the Senate. Attendance by members is not required or recorded during perfunctory sessions.

(b) Regular and veto session days shall be scheduled with notice by the President in accordance with Rule 2-10. Special session days shall be scheduled in accordance with the Constitution and laws of Illinois.

(c) The President, at his or her discretion, may schedule perfunctory sessions during which the Secretary may read into the Senate record any legislative measure. Properly convened committees may meet and may consider and act upon legislative measures during a perfunctory session, and the Secretary may receive and read committee reports into the Senate record during a perfunctory session. Excepting any automatic referral provisions of these Senate Rules, no action may be taken by the Senate with

[January 14, 2009]

respect to a legislative measure during a perfunctory session.

(d) The President may also schedule perfunctory sessions for the purpose of affording those members designated by the President and Minority Leader an opportunity to negotiate with respect to any unfinished business of the Senate without necessitating the presence of all members and the related costs to Illinois taxpayers.

(Senate Rule 4-2)

4-2. Hour of Meeting. Unless otherwise ordered by the Presiding Officer or by a majority of those elected, the Senate shall regularly convene at noon.

(Senate Rule 4-3)

4-3. Entitled to Floor.

(a) Except as otherwise provided in these Senate Rules, only the following persons shall be admitted to the Senate while it is in session: members and officers of the General Assembly; elected officers of the executive branch; justices of the Supreme Court; the designated aide to the Governor; the parliamentarian; majority staff members and minority staff members, except as limited by the Presiding Officer; former Presidents of the Senate, except as limited by the President or prohibited under subsection (d); former members who served in the Senate at any time during the past four years, except as limited by the President or prohibited under subsection (d); and employees of the Legislative Reference Bureau and the Legislative Information System, except as limited by the President. Representatives of the press, while the Senate is in session, may have access to the galleries and places allotted to them by the President. No person is entitled to the floor unless appropriately attired.

(b) On days during which the Senate is in session, the Sergeant-at-Arms shall clear the floor of all persons not entitled to access the floor a quarter hour before the convening time, and he or she shall enforce all other provisions of this Rule.

(c) The Senate may authorize, by motion adopted by majority vote, the admission to the floor of any other person, except as prohibited under subsection (d).

(d) No person who is directly or indirectly interested in defeating or promoting any pending legislative measure, if required to be registered as a lobbyist, is allowed access to the floor of the Senate at any time during the session.

(e) When he or she deems it necessary for the preservation of order, the Presiding Officer may by order remove any person from the floor of the Senate. A Senator may be removed from the floor only pursuant to Rule 11-1.

(Senate Rule 4-4)

4-4. Daily Order. Unless otherwise determined by the Presiding Officer, the daily order of business of the Senate shall be as follows:

- (1) Call to Order, Invocation, and Pledge of Allegiance.
- (2) Reading and Approval of the Journal.
- (3) Reading of Senate Bills a first time.
- (4) Reports from committees, with reports from the ~~Rules~~ Committee on Assignments ordinarily made at any
time.
- (5) Presentation of Resolutions, Petitions, and Messages.
- (6) Introduction of Senate Bills.
- (7) Messages from the House, not including reading House Bills a first time.
- (8) Reading of Senate Bills a second time.

- (9) Reading of Senate Bills a third time.
- (10) Reading of House Bills a third time.
- (11) Reading of House Bills a second time.
- (12) Reading of House Bills a first time.
- (13) Senate Bills on the Order of Concurrence.
- (14) House Bills on the Order of Non-Concurrence.
- (15) Conference Committee Reports.
- (16) Motions in Writing.
- (17) Constitutional Amendment Resolutions.
- (18) Motions with respect to Vetoes.
- (19) Consideration of Resolutions.
- (20) Motions to Discharge Committee.
- (21) Motions to Take from the Table.
- (22) Motions to Suspend the Rules.
- (23) Consideration of Bills on the Order of Postponed Consideration.

(Senate Rule 4-5)

4-5. Quorum.

(a) A majority of those elected shall constitute a quorum of the Senate, and a majority of those appointed shall constitute a quorum of a committee, but a smaller number may adjourn from day to day or recess for less than one day. The attendance of absent members may be compelled by order of the President.

(b) The question of the presence of a quorum in any committee may not be raised on consideration of a legislative measure by the Senate unless the same question was previously raised before the committee with respect to that legislative measure.

(Senate Rule 4-6)

4-6. Approval of the Journal. The President or his or her designee shall periodically examine and report to the Senate any corrections he or she deems should be made in the Journal before it is approved. If these corrections are approved by the Senate, they shall be made by the Secretary.

(Senate Rule 4-7)

4-7. Executive Sessions. The sessions of the Senate shall be open to the public. Sessions and committee meetings of the Senate may be closed to the public if, pursuant to Article IV, Section 5(c) of the Constitution, two-thirds of the members elected determine that the public interest so requires.

(Senate Rule 4-8)

4-8. Length of Adjournment. Pursuant to Article IV, Section 15(a) of the Constitution, the Senate shall not adjourn, without the consent of the House, for more than three days, nor to another place than that in which the two chambers of the General Assembly are sitting. The Senate shall be in session on any day in which it shall convene in perfunctory session, regular session, veto session, or special session.

(Senate Rule 4-9)

4-9. Transcript of the Senate. In accordance with Article IV, Section 7(b) of the Constitution, nothing contained in the official transcript of the Senate shall be changed or expunged except by written request of a Senator to the Secretary and Presiding Officer, which request may be approved only on a roll call vote of three-fifths of the members elected.

ARTICLE V

BILLS AND AMENDMENTS

(Senate Rule 5-1)

5-1. Bills.

(a) A bill may be introduced in the Senate by sponsorship of one or more members of the Senate, whose names shall be on the printed copies of the bills, in the Senate Journal, and in the Legislative Digest. The principal sponsor shall be the first name to appear on the bill and may be joined by no more than four chief cosponsors with the approval of the principal sponsor; other cosponsors shall be separated from the principal sponsor and any chief cosponsors by a comma. By motion, the sponsorship of a bill may be changed to that of another Senator (or Senators, as the case may be), or to that of the standing committee to which the bill was referred or from which the bill was reported. Such a motion may be made at any time the bill is pending before the Senate or any of its committees.

(b) The principal sponsor of a bill shall control the bill. A committee-sponsored bill shall be controlled by the Chairperson of the committee, who for purposes of these Senate Rules shall be deemed the principal sponsor. Committee-sponsored bills may not have individual co-sponsors.

(c) The House sponsor of a bill originating in the House may request substitute Senate sponsorship of that bill by filing a notice with the Secretary; that notice shall automatically be referred to the ~~Rules~~ Committee on Assignments and deemed adopted if approved by the ~~Rules~~ Committee on Assignments. If disapproved by the ~~Rules~~ Committee on Assignments, the notice shall lie on the table. If the ~~Rules~~ Committee on Assignments fails to act on any such notice, that notice may be discharged pursuant to Rule 7-9.

(d) All bills introduced in the Senate shall be read by title a first time, ordered printed, and automatically referred to the ~~Rules~~ Committee on Assignments in accordance with Rule 3-8. When a House Bill is received, it shall be taken up, ordered printed, and placed on the order of House Bills on First Reading; after having been read a first time, it shall automatically be referred to the ~~Rules~~ Committee on Assignments in accordance with Rule 3-8.

(e) All bills introduced into the Senate shall be accompanied by twelve copies. Any bill that amends a statute shall indicate the particular changes in the following manner:

(1) All new matter shall be underscored.

(2) All matter that is to be omitted or superseded shall be shown crossed with a line.

(f) No bill shall be passed by the Senate except on a roll call vote of a majority of those elected. A bill that has lost and has not been reconsidered may not thereafter be revived.

(Senate Rule 5-2)

5-2. Reading and Printing of Bills. Every bill shall be read by title on three different days prior to passage by the Senate, and the bill and all adopted amendments thereto shall be printed before the vote is taken on its final passage.

(Senate Rule 5-3)

5-3. Printing and Distribution. The Secretary shall, as soon as any bill is printed, deliver to the Sergeant-at-Arms sufficient copies to furnish each Senator with a copy, and the Sergeant-at-Arms shall at once cause the bills to be distributed upon the desks of the Senators. Alternatively, and pursuant to Rule 2-7(b)(3), the Secretary may establish a method any Senator may use to secure a copy of any bill he or she desires.

(Senate Rule 5-4)

5-4. Amendments.

(a) An amendment to a bill may be adopted either by a standing committee when the bill is before that committee, or by the Senate when a bill is on the order of Second Reading. The former shall be known as a "committee amendment" and the latter as a "floor amendment". All amendments must be in writing. All amendments still pending in a committee upon the passage or defeat of a bill on Third Reading shall automatically be tabled.

(b) Committee amendments may only be offered by the principal sponsor or a member of the

[January 14, 2009]

committee while the affected bill is before the committee, and shall be adopted by a majority of those appointed. Floor amendments may only be offered by a Senator while the bill is on the order of Second Reading, and shall be adopted by a majority vote of the Senate. An amendment may be the subject of a motion to "do adopt" or "do not adopt", and may only be adopted pursuant to a successful motion to "do adopt".

(c) Committee amendments and floor amendments shall be filed with the Secretary, and shall be in order only when twelve copies have been filed. The Secretary shall provide copies of committee amendments to the Chairperson and Minority Spokesperson of the appropriate committee as soon as practicable.

(d) The Secretary shall have printed all adopted committee amendments that come before the Senate pursuant to Rule 3-12. The Secretary shall also have printed all adopted floor amendments. No floor amendment may be adopted by the Senate unless it has been first reproduced and placed on the members' desks.

(e) No floor or committee amendment shall be in order unless approved or referred by the ~~Rules~~ Committee on Assignments in accordance with Rule 3-8 or brought before the Senate pursuant to Rule 7-9.

(f) Amendments that propose to alter any existing law shall set forth completely the statutory Sections amended, and shall conform to the requirements of Rule 5-1(e).

(g) If a committee reports a bill "do pass as amended", the committee amendments shall be deemed adopted by the committee action and shall be reproduced and placed on the members' desks before the bill may be read a second time.

(Senate Rule 5-5)

5-5. Fiscal and Other Notes. The Senate shall comply with all effective Illinois laws requiring notes on any bill, including without limitation the Fiscal Note Act, the Pension Impact Note Act, the Judicial Note Act, the State Debt Impact Note Act, the Correctional Budget and Impact Note Act, the Home Rule Note Act, the Balanced Budget Note Act, the Housing Affordability Impact Note Act, and the State Mandates Act, all as amended. All such notes shall be filed with the Secretary with a time stamp endorsing the date and time received, and shall then be attached to the original of the bill and be available for inspection by the members. As soon as practicable, the Secretary shall provide a copy of the note to the Legislative Reference Bureau, which shall provide an informative summary of the note in subsequent issues of the Legislative Digest.

ARTICLE VI

RESOLUTIONS AND CERTIFICATES OF RECOGNITION

(Senate Rule 6-1)

6-1. Resolutions.

(a) A resolution shall be introduced in the Senate by sponsorship of one or more members of the Senate, and the names of all sponsors shall be printed in the Senate Journal and in the Legislative Digest. Each resolution introduced shall be accompanied by twelve copies.

(b) Any resolution calling for the expenditure of State funds may be adopted only by a roll call vote of a majority of those elected.

(c) The Secretary shall periodically print a Resolutions Consent Calendar, which the Secretary shall periodically distribute prior to its consideration by the Senate (generally the last daily session of the week). No debate is in order regarding any resolution appearing on the Resolutions Consent Calendar. All resolutions appearing on the Resolutions Consent Calendar may be adopted in one motion; however, any Senator may vote "no" or "present" on any resolution appearing on the Resolutions Consent Calendar by providing written notice of that intention to the Secretary prior to the vote on the Resolutions Consent Calendar. Prior to the adoption of any resolution on the Resolutions Consent Calendar, if any three members file with the Secretary a written objection to the presence of a resolution thereon, that resolution shall be removed from the Resolutions Consent Calendar and is automatically

[January 14, 2009]

referred to the ~~Rules~~ Committee on Assignments.

(Senate Rule 6-2)

6-2. State Constitutional Amendments. All resolutions introduced in the Senate proposing amendments to the Constitution shall be printed in the same manner in which bills are printed. Every such resolution that originated in the House and is presented to the Senate shall be ordered printed in like manner unless the resolution has been similarly printed by the House in the same form in which it was presented to the Senate. No such resolution may be adopted unless read in full in its final form on three different days. Amendments to these resolutions may be in order on the initial First and Second Readings only.

(Senate Rule 6-3)

6-3. Federal Constitutional Amendments and Constitutional Conventions. The affirmative vote of three-fifths of those elected shall be required to adopt any resolution:

- (1) requesting Congress to call a federal constitutional convention;
- (2) ratifying a proposed amendment to the Constitution of the United States; or
- (3) to call a State convention to ratify a proposed amendment to the Constitution of the United States.

(Senate Rule 6-4)

6-4. Certificates of Recognition. Any member may sponsor a certificate of recognition with the name and signature of the member, and attested by the Secretary with the State Seal attached to recognize any person, organization, or event worthy of public commendation. The form of the Certificate of Recognition shall be determined by the Secretary with the approval of the President and Minority Leader.

ARTICLE VII

PARLIAMENTARY PRACTICE

(Senate Rule 7-1)

7-1. Voting within Bar. No Senator shall be permitted to vote on any question before the Senate unless on the floor before the vote is announced. No member of a committee may vote except in person at the time of the call of the committee vote. Any vote of the Senate shall be by roll call whenever two Senators so request or whenever the Presiding Officer so orders.

(Senate Rule 7-2)

7-2. Announcing a Roll Call Vote. When a roll call vote is requested, the Presiding Officer shall put the question and then announce to the Senate: "The voting is open." While the roll call is being taken, the Presiding Officer shall state: "Have all voted who wish?". The voting is closed when the Presiding Officer announces: "Take the Record." The Presiding Officer, unless an intervening motion to postpone consideration by the principal sponsor is made, shall then announce the results of the roll call. No Senator is permitted to vote or to change his or her vote after the Presiding Officer announces: "Take the Record."

(Senate Rule 7-3)

7-3. Decorum and Debate.

(a) When any Senator is about to speak or deliver any matter to the Senate, he or she shall rise and address the Presiding Officer as "Mister President" or "Madam President", as the case may be. Upon being recognized by the Chair, the latter will address the Senator by name and thereupon, and not until then, the engineer in charge of operating the microphones in the Senate will give the use of the microphone to the Senator who has been so recognized. The Senator in speaking shall confine himself or herself to the subject matter under discussion and avoid personalities.

(b) The Presiding Officer may at his or her discretion, and with consideration for the efficient operation of the Senate, determine whether any member shall be afforded the floor for the purpose of introduction of guests in the gallery. Questions affecting the rights, reputation, and conduct of members of the Senate in their representative capacity are questions of personal privilege. A matter of personal explanation does not constitute a question of personal privilege.

(c) If any Senator in speaking (or otherwise) transgresses these Senate Rules, the Presiding Officer shall, or any Senator may, call him or her to order, in which case the Senator so called to order shall sit down, unless permitted to explain; and the Senate, if appealed to, shall decide on the case without debate. If the decision is in favor of the Senator called to order, he or she is at liberty to proceed. If otherwise, and the case requires it, he or she is liable to the censure of the Senate.

(d) If any Senator is called to order for words spoken in debate, the person calling him or her to order shall repeat the words excepted to, and they shall be taken down by the Secretary. No Senator shall be held to answer or be subject to the censure of the Senate for words spoken in debate if any Senator has spoken in debate or other business has intervened after the words spoken and before exceptions to them shall have been taken.

(e) If two or more Senators rise at once, the Presiding Officer shall name the Senator who is to speak first.

(f) No person shall give any signs of approbation or disapprobation while the Senate is in session.

(g) No Senator shall speak more than five minutes on the same question without the consent of the Senate, nor more than twice on that question. No Senator shall speak more than once until every Senator choosing to speak has spoken. No Senator may explain his or her vote.

(h) While the Presiding Officer is putting a question, no Senator shall leave or walk across the Senate Chamber. When a Senator is addressing the Senate, no Senator or other person entitled to the floor shall entertain private discourse or pass between the speaker and the Presiding Officer.

(i) In case of any disturbances or disorderly conduct in the lobby, gallery, or hallways adjoining the chamber, the President shall have the power to order the same to be cleared.

(j) All material placed on the desks of Senators shall contain the name of the Senator requesting its distribution.

(Senate Rule 7-4)

7-4. Motions, Generally. The following are general rules for all motions:

(1) Every motion, except to adjourn, recess, or postpone consideration, shall be reduced to writing if the Presiding Officer desires it. Unless otherwise provided in these Senate Rules, no second shall be required to any motion presented to the Senate. The Presiding Officer may refer any motion to the ~~Rules~~ Committee on Assignments.

(2) Before the Senate debates a motion, the Presiding Officer shall state an oral motion and the Secretary shall read aloud a written motion.

(3) After a motion is stated by the Presiding Officer or read by the Secretary, it shall be deemed in the possession of the Senate, but may be withdrawn at any time before decision by consent of a majority of the Senate.

(4) If a motion is divisible, any member may call for a division of the question.

(5) Any question taken under consideration may be withdrawn, postponed, or tabled by unanimous consent or, if unanimous consent is denied, by a motion adopted by a majority vote.

(Senate Rule 7-5)

7-5. Precedence of Motions.

(a) When a question is under debate, no motion may be entertained except:

(1) to adjourn to a time certain;

- (2) to adjourn;
- (3) to question the presence of a quorum;
- (4) to recess;
- (5) to lay on the table;
- (6) for the previous question;
- (7) to postpone consideration;
- (8) to commit or recommit; and
- (9) to amend, except as otherwise provided in these Senate Rules.

The foregoing motions shall have precedence in the order in which they are listed.

(b) During a roll call, no motion (except a motion to postpone consideration) shall be in order until after the announcement of the result of the vote.

(c) A motion to commit or re-commit, until it is decided, precludes all amendments and debate on the main question. A motion to postpone consideration, until it is decided, precludes all amendments on the main question.

(Senate Rule 7-6)

7-6. Verification.

(a) After any roll call vote, except for a vote that requires a specific number of affirmative votes and that has not received the required votes, and before intervening business, it shall be in order for any Senator to request verification of the results of the roll call.

(b) In verifying a roll call vote, the Presiding Officer shall instruct the Secretary to call the names of those Senators whose votes are to be verified. The Senator requesting the verification may thereafter identify those members he or she wishes to verify. If a member does not answer, his or her vote shall be stricken; however, the member's vote shall be restored to the roll if his or her presence is recognized before the verification is completed. The Presiding Officer shall determine the presence or absence of each member whose name is called, and shall then announce the results of the verification.

(c) While the results of any roll call are being verified, it is in order for any Senator to announce his or her presence on the floor and thereby have his or her vote verified.

(d) A request for a verification of the affirmative and negative results of a roll call may be made only once on each roll call.

(e) No Senator shall be permitted to vote or to change his or her vote on verification.

(Senate Rule 7-7)

7-7. Appealing a Ruling.

(a) If any appeal is taken from a ruling of the Presiding Officer, the Presiding Officer shall be sustained unless three-fifths of the members elected vote to overrule the Presiding Officer. The motion to appeal requires a second, and it shall not be in order if the Senate has conducted intervening business since the ruling at issue was made.

(b) If any appeal is taken from a ruling of a committee Chairperson, the Chairperson shall be sustained unless three-fifths of those appointed vote to overrule the Chairperson. The motion to appeal requires a second, and it shall not be in order if the committee has adjourned or recessed, so long as intervening business has occurred.

(c) In an appeal of a ruling of the Presiding Officer or Chairperson, the question is: "Shall the ruling of the Chair be sustained?"

(d) This Rule may be suspended by a three-fifths vote of the members elected.

(Senate Rule 7-8)

7-8. Previous Question.

(a) A motion for the previous question may be made at any time. The motion for the previous question is not debatable and requires approval of a majority of those elected.

(b) The previous question shall be stated in the following form: "Shall the main question now be put?". Until the previous question is decided, all amendments and debate are precluded. When it is decided that the main question shall not be put, the main question shall be considered as remaining under debate.

(c) The effect of the main question being ordered is to put an end to all debate and bring the Senate to a direct vote on the immediately pending motion. After a motion for the previous question has been approved, unless the vote on the motion suggests the absence of a quorum, it is not in order to move for adjournment or to make any other motion prior to a decision on the main question.

(Senate Rule 7-9)

7-9. Discharge of Committee.

(a) A committee may be discharged from further consideration of a legislative measure by a vote of three-fifths of the members elected. Upon concurrence of a majority of those appointed, the ~~Rules~~ Committee on Assignments may advance any legislative measure pending before it to the Senate without referral to another committee; however, the ~~Rules~~ Committee on Assignments shall not so report any bill that has never been before a standing committee of the Senate.

(b) This Rule may be suspended by a vote of three-fifths of the members elected.

(Senate Rule 7-10)

7-10. Tabling.

(a) A motion to lay on the table applies only to the particular proposition and is neither debatable nor amendable.

(b) A motion to table a bill or resolution shall identify the bill or resolution by number. The principal sponsor of a bill or resolution may, with leave of the Senate, table his or her bill or resolution at any time. A motion to table a committee bill that is before the Senate may be adopted only by a majority of those elected.

(c) The principal sponsor of a bill or resolution before a committee may, with leave of the committee, table the bill or resolution. Upon such tabling, the Chairperson of the committee shall return the bill or resolution to the Secretary, noting thereon that it has been tabled.

(d) A motion to table an amendment adopted by the Senate on a voice vote or by a committee is in order on Second Reading. A motion to table a committee amendment has priority over a floor amendment. Motions to table amendments are debatable and may be adopted by a majority.

(Senate Rule 7-11)

7-11. Motion to Take from Table.

(a) A motion to take from the table shall require a majority of those elected if the ~~Rules~~ Committee on Assignments has previously recommended that action by written notice filed with the Secretary; otherwise, a motion to take from the table shall require a three-fifths vote of the members elected.

(b) A bill taken from the table shall be placed on the Daily Calendar on the order on which it appeared before it was tabled.

(c) This Rule may be suspended by a three-fifths vote of the members elected.

(Senate Rule 7-12)

7-12. Motion to Postpone Consideration. A motion to postpone consideration on a legislative measure may not be made more than once on the same bill or proposition. Unless otherwise provided by these Senate Rules, a motion to postpone consideration shall be granted as a matter of privilege; however, no motion to postpone consideration is in order if the involved legislative measure initially received a vote of fewer than two-fifths of the members elected.

(Senate Rule 7-13)

7-13. Motion on Different Subject. No motion or other legislative measure on a subject different from

that under consideration shall be admitted under color of amendment.

(Senate Rule 7-14)

7-14. Division of Question. If the question in debate contains several points, any Senator may have the same divided. On a motion to strike out and insert, it is not in order to move for a division of the question. The rejection of a motion to strike out and insert one proposition does not prevent a motion to strike out and insert a different proposition.

(Senate Rule 7-15)

7-15. Reconsideration.

(a) A member who voted on the prevailing side of a record vote on a legislative measure still within the control of the Senate may on the same or following day move to reconsider the vote. The motion to reconsider may be laid on the table without affecting the vote to which it referred. When the motion to reconsider is made during the last three scheduled days of regular session, or any time thereafter during the regular session, or at any time during a veto or special session, any member may move that the vote on reconsideration be taken immediately. A question that requires the votes of a majority of those elected or more to carry requires a majority of those elected to reconsider.

(b) A motion to reconsider a record vote on the adoption of an amendment to a bill may be made only on Second Reading. An amendment adopted by the Senate on a record vote may not be tabled by motion until its adoption has been reconsidered.

(c) If a motion to reconsider is made pursuant to this Rule and the motion is later tabled, the question shall not be further reconsidered. This subsection (c) may be suspended by a three-fifths vote of the members elected.

(d) When a motion to reconsider is made within the time prescribed by these Senate Rules, the Secretary shall not allow the bill or other subject matter of the motion to pass out of the possession of the Senate until after the motion has been decided or withdrawn. Such a motion shall be deemed rejected if laid on the table.

(e) A Senator who voted "present" or failed to vote on a question shall not have the right to move for reconsideration.

(f) Upon a motion to reconsider the vote on the final passage of any bill, the affirmative vote of a majority of those elected shall be required to reconsider the same.

(Senate Rule 7-16)

7-16. Motion to Adjourn.

(a) A motion to adjourn is in order at any time, except when a prior motion to adjourn has been defeated and no intervening business has transpired.

(b) A motion to adjourn is neither debatable nor amendable.

(c) The Secretary shall enter in the Journal the hour at which every motion to adjourn is made.

(d) Unless the Presiding Officer otherwise orders, the standing hour to which the Senate adjourns is 12:00 noon.

(e) A motion to adjourn for more than three days is not in order unless both chambers of the General Assembly have adopted a joint resolution permitting that adjournment.

(Senate Rule 7-17)

7-17. Amendment to or Suspension of Rules.

(a) Rules may be proposed or amended only by resolution. Any such resolution shall show the proposed changes in the existing Rules by underscoring all new matter and by crossing out with a line all matter that is to be omitted or superseded.

(b) Any resolution proposing to amend a Senate Rule or any Joint Senate-House Rule shall, upon initial reading by the Secretary, automatically be referred to the ~~Rules~~ Committee on Assignments. Resolutions for amendment of the Senate Rules or any Joint Senate-House Rules may be initiated and sponsored by the ~~Rules~~ Committee on Assignments; these resolutions shall not be referred to a committee and may be immediately considered and adopted by the Senate.

[January 14, 2009]

(c) A resolution to amend the Senate Rules or any Joint Senate-House Rules that has been reported "do adopt" or "do adopt as amended" by a majority of those appointed to the ~~Rules~~ Rules Committee on Assignments shall require the affirmative vote of a majority of those elected for adoption by the Senate. Any other resolution proposing to amend the Senate Rules or any Joint Senate-House Rules shall require the affirmative vote of three-fifths of the members elected for adoption by the Senate.

(d) No Senate Rule or any Joint Senate-House Rule may be suspended except by unanimous consent of the Senators present or upon a motion supported by affirmative vote of a majority of those elected unless a higher number is required in the Rule sought to be suspended. A committee may not suspend any Rule.

(e) This Rule may be suspended by a three-fifths vote of those elected.
(Senate Rule 7-18)

7-18. Motion to Commit or Recommit. No motion to commit or recommit a legislative measure to committee, being decided in the negative, shall again be allowed on the same day, or at the same stage of the legislative measure.

(Senate Rule 7-19)

7-19. Effective Date.

(a) A bill passed after May 31 of a calendar year shall not become effective prior to June 1 of the next calendar year unless an earlier effective date is specified in the bill and it is approved by a three-fifths vote of the members elected.

(b) If a majority of those elected, but fewer than three-fifths of the members elected, vote affirmatively for a bill on Third Reading after May 31, where the bill specifies an effective date earlier than the following June 1, the bill shall not be declared passed, and the principal sponsor shall have the right to have the bill automatically reconsidered and returned to the order of Second Reading for an amendment to remove the earlier effective date. The amendment, if offered and approved by the ~~Rules~~ Rules Committee on Assignments, shall be reproduced and placed on the desks of the members before the bill is taken up again on the order of Third Reading.

(Senate Rule 7-20)

7-20. Home Rule. No bill denies or limits any power or function of a home rule unit, pursuant to paragraph (g), (h), (i), (j), or (k) of Section 6 of Article VII of the Constitution, unless there is specific language limiting or denying the power or function and the language specifically sets forth in what manner and to what extent it is a denial or limitation of the power or function of a home rule unit. If a majority of those elected, but fewer than three-fifths of the members elected, vote affirmatively for a bill on Third Reading that requires a vote of three-fifths of the members elected to deny or limit a power of a home rule unit, the bill shall not be declared passed, and the principal sponsor shall have the right to have the bill automatically reconsidered and returned to the order of Second Reading for an amendment to remove those effects of the bill. The amendment, if offered and approved by the ~~Rules~~ Rules Committee on Assignments, shall be reproduced and placed on the desks of the members before the bill is taken up again on the order of Third Reading. The ~~Rules~~ Rules Committee on Assignments may also refer the amendment to a committee.

ARTICLE VIII

JOINT ACTION

(Senate Rule 8-1)

8-1. Concurring in or Receding from Amendments.

(a) If a bill or resolution is received back in the Senate with amendments added by the House, it shall be in order for the principal sponsor only to present a motion "to concur" or "not to concur and ask the House to recede" with respect to those amendments. Any two members may demand a separate roll call on any such amendment.

(b) When the House has refused to concur in amendments added to a bill or resolution by the Senate and has returned the bill or resolution to the Senate with a message requesting the Senate to recede from its amendments, it shall be in order for the principal sponsor only to present a motion "to recede" from the Senate amendments or "not to recede and to request a conference". Any two members may demand a separate roll call on any such amendments.

[January 14, 2009]

(Senate Rule 8-2)

8-2. Conference Committees.

(a) A disagreement between the Senate and House exists with respect to any bill or resolution in the following situations:

(1) when the House refuses to recede from the adoption of any amendment, after the Senate has previously refused to concur in the amendment; or

(2) when the Senate refuses to recede from the adoption of any amendment, after the House has previously refused to concur in the amendment.

In these cases of disagreement between the Senate and House, the Senate may request a conference. When a request for conference is made, both chambers of the General Assembly shall appoint a committee to confer with the other on the subject of the bill or resolution giving rise to the disagreement. The combined committees of the two chambers appointed for this purpose is the conference committee.

(b) The conference committee shall consist of an equal number of members of each Chamber of the General Assembly. The number of majority caucus members from each chamber shall be one more than the number of minority caucus members from each chamber. A conference committee shall consist of five members from each chamber.

(c) In addition to the House members thereof, each conference committee shall be comprised of five Senators, three of whom shall be appointed by the President and two of whom shall be appointed by the Minority Leader. No conference committee report may be filed with the Secretary until a majority of the Senate conferees has been appointed.

(Senate Rule 8-3)

8-3. Conference Committee Reports.

(a) No subject shall be included in any conference committee report on any bill unless that subject matter directly relates to the matters of difference between the Senate and House that have been referred to the conference committee unless the ~~Rules~~ Committee on Assignments, by a majority vote of the members appointed, determines that the proposed subject matter is of an emergency nature, of substantial importance to the operation of government, or in the best interests of Illinois.

(b) No conference committee report shall be received by the Secretary or acted upon by the Senate unless it has been signed by at least six conferees. The report shall be signed in duplicate. One of the reports shall be filed with the Clerk of the House and one with the Secretary. The report shall contain the agreements reached by the committee.

(c) If the conference committee determines that it is unable to reach agreement, the committee shall so report to each chamber of the General Assembly and request appointment of a second conference committee. In the event of agreement, the committee shall so report to each chamber.

(Senate Rule 8-4)

8-4. Prerequisites for Senate Consideration.

(a) No joint action motion for final action or conference committee report may be considered by the Senate unless it has first been referred or approved by the ~~Rules~~ Committee on Assignments in accordance with Rule 3-8, or unless the joint action motion or conference committee report has first been discharged from the ~~Rules~~ Committee on Assignments pursuant to Rule 7-9.

(b) No conference committee report may be considered by the Senate unless it has first been made available electronically or otherwise for not less than one hour.

(c) Prior to any conference committee report on an appropriation bill being considered by the Senate, that conference committee report shall first be the subject of a public hearing by a standing Appropriations Committee (the conference committee report need not be referred to an Appropriations Committee, but instead may remain before the ~~Rules~~ Committee on Assignments or the Senate, as the case may be). The hearing shall be held pursuant to not less than one hour advance notice by announcement on the Senate floor, or one day advance notice by posting on the Senate bulletin board or

other electronic means. The Appropriations Committee shall not issue any report with respect to any conference committee report following any such hearing.

(d) Any Senate Bill amended in the House and returned to the Senate for concurrence in the House amendment shall be made available electronically or otherwise for not less than one hour before being further considered. No Senate Bill that is returned to the Senate with House amendments shall be called except by the principal sponsor.

(e) The report of a conference committee on a non-appropriation bill or resolution shall be confined to the subject of the bill or resolution referred to the conference committee. The report of a conference committee on an appropriations bill shall be confined to the subject of appropriations.

(Senate Rule 8-5)

8-5. Action on Conference Committee Reports.

(a) Each chamber of the General Assembly shall inform the other by message of any action taken with respect to a conference committee report. Copies of all papers necessary to a complete understanding of any such action shall accompany the message. The original bill or resolution shall remain in the chamber of origin.

(b) If either chamber refused to adopt the report of the conference committee, or the first conference committee is unable to reach agreement, either chamber may request a second conference committee. When such a request is made, each chamber shall again appoint a conference committee. If either chamber refuses to adopt the report of a second conference committee, the two chambers have adhered to their disagreement, and the bill or resolution is lost.

ARTICLE IX

VETOES

(Senate Rule 9-1)

9-1. Recording of Vetoes. Upon the receipt by the Senate of any bill returned by the Governor under any of the provisions of Article IV, Section 9 of the Constitution, the Secretary shall enter the objections of the Governor on the Journal, and shall distribute copies of all veto messages to each member's desk, together with copies of the vetoed bill or item, as soon as practicable.

(Senate Rule 9-2)

9-2. Amendatory Vetoes.

(a) The Governor's specific recommendations for change with respect to a bill returned under subsection (e) of Section 9 of Article IV of the Illinois Constitution shall be limited to addressing the Governor's objections to portions of a bill, the general merit of which the Governor recognizes, and shall not alter the fundamental purpose or legislative scheme set forth in the bill as passed.

(b) Any motion to accept the Governor's specific recommendations for change shall automatically be referred to the ~~Rules~~ Committee on Assignments. The ~~Rules~~ Committee on Assignments shall examine the Governor's specific recommendations for change and determine by a majority of the members appointed whether those recommendations comply with the standard set forth in subsection (a). Any motion to accept specific recommendations for change that the ~~Rules~~ Committee on Assignments determines shall be in compliance with subsection (a) of this Rule are subject to action by the ~~Rules~~ Committee on Assignments in the same manner as floor amendments, joint action motions, and conference committee reports under Rule 3-8(b).

(c) This Rule may not be suspended.

(Senate Rule 9-3)

9-3. Motions to Consider Vetoes. For purposes of this Article, the term "motions" shall mean those motions to accept or override a veto of the Governor. Motions with respect to bills returned by the Governor may be made by the principal sponsor, the committee chairperson in the case of a committee bill, or by any member who voted on the prevailing side on the vote on final passage of the bill in question. Every motion shall be filed in writing with the Secretary, prior to any consideration thereof by the Senate. If more than one motion is filed with respect to any bill, all such motions shall be heard at the time the bill is called; however, after such a motion is adopted, no other motion on that veto may be considered. The motion of the principal sponsor or chairperson, in the case of committee bills, shall be considered first and all other motions considered in the order filed. If the principal sponsor does not call

a bill within eight calendar days after the Governor's objections to the bill are entered in the Journal, thereafter any person filing such a motion may call the bill.

(Senate Rule 9-4)

9-4. Consideration of Motions.

(a) The vote to override a bill vetoed in its entirety shall be by roll call vote and shall be entered on the Journal. The form of motion with respect to such bills shall be: "I move that _____ Bill _____ do pass, notwithstanding the veto of the Governor."

(b) The vote to override an item veto shall be by roll call vote as to each item separately and shall be entered on the Journal. The form of motion with respect to such item shall be: "I move that the item on page _____, line _____, of _____ Bill _____ do pass, notwithstanding the item veto of the Governor."

(c) The vote to restore an item which has been reduced shall be by roll call vote as to each item separately and shall be entered on the Journal. The form of motion with respect to such items shall be: "I move the item on page _____, line _____, of _____ Bill _____ be restored, notwithstanding the item reduction of the Governor."

(d) A bill returned together with specific recommendations of the Governor may be acted upon in either of the following manners:

(1) By a motion to accept the specific recommendations of the Governor. The form of motion in this event shall be: "I move to accept the specific recommendations of the Governor as to _____ Bill _____ in manner and form as follows: (inserting herein the language deemed necessary to effectuate the specific recommendations)"; or

(2) By considering the bill as a vetoed bill and overriding the recommendation and passing the bill in its original form. The form of motion in this event shall be: "I move that _____ Bill _____ do pass, notwithstanding the specific recommendations of the Governor."

(Senate Rule 9-5)

9-5. Vetoed Bills Considered in Entirety. If a bill is returned by the Governor containing more than one veto, reduction, specific recommendation, or combination thereof, the bill shall be acted upon in its entirety before the bill is released from the custody of the Senate.

(Senate Rule 9-6)

9-6. Disposition of Vetoes. When a bill or item has received the affirmative vote of at least three-fifths of the members elected (as to overrides of outright vetoes, item vetoes, and specific recommendations for change) or the affirmative vote of at least a majority of those elected (as to overrides of reductions or acceptances of specific recommendations for change), the Presiding Officer shall declare that the bill or item has been passed or restored over the veto of the Governor, or that the specific recommendations for change have been approved, as the case may be. The bill shall then be so certified by the Secretary who shall note thereon the day the bill passed. The bill and the objections of the Governor thereto shall then be immediately delivered to the House. When specific recommendations have been accepted, then such accepting language shall be attached to the original bill and the bill shall be delivered to the House.

ARTICLE X

NOMINATIONS

(Senate Rule 10-1)

10-1. Nominations.

(a) Every nomination subject to confirmation by the Senate shall be referred to the Executive Appointments Committee in accordance with Rule 3-6; nominations may also be considered by other committees in accordance with these Senate Rules. Each nominee shall be required to appear in person before that meeting of a committee convened for the purpose of considering the qualifications of the person for the office to which he or she has been nominated. The appearance of the nominee may be waived by the committee by a vote of a majority of those appointed.

(b) The Executive Appointments Committee shall, six days prior to any of its meetings, post a notice on the Senate bulletin board or make the notice electronically available indicating the nominees to be

[January 14, 2009]

considered at its next meeting and the time, date, and place of the meeting. The Chairperson of the committee shall provide a copy of the notice to the Governor's Office of Legislative Affairs, which shall be responsible for notifying each nominee scheduled to be considered of the date, time, and place of hearing.

(c) On considering the report of the Executive Appointments Committee on a nomination, the Presiding Officer shall put the following question: "Does the Senate advise and consent to the nomination just made?" Whenever a group of nominees has been submitted together, five or more members may request the question be put and the vote separately taken upon each of the individuals in that group. The Senate may determine, by a majority vote of those elected, after having voted upon the question of one or more of the nominees individually, to act upon the question of the remaining nominees in that group as a unit.

(d) While any nomination remains with the Senate, it is in order to reconsider any vote taken thereon, subject to the provisions of Rule 7-15 not related to the time for making such a motion.

ARTICLE XI

DISCIPLINE AND PROTEST

(Senate Rule 11-1)

11-1. Disorderly Behavior.

(a) In accordance with Article IV, Section 6(d) of the Constitution, the Senate may punish any of its members for disorderly behavior and, with the concurrence of two-thirds of the members elected, expel a Senator (but not for a second time for the same cause). The reason for the expulsion shall be entered upon the Journal with the names and votes of those Senators voting on the question.

(b) In accordance with Article IV, Section 6(d) of the Constitution, the Senate during its session may punish by imprisonment any person other than a Senator guilty of disrespect of the Senate by disorderly or contemptuous behavior in its presence. The imprisonment shall not extend beyond 24 hours at one time unless the person persists in disorderly or contemptuous behavior.

(Senate Rule 11-2)

11-2. Protest. Any two Senators shall have the right to dissent and protest, in respectful language, against any act or resolution that they may think injurious to the public or to any individual, and have the reason of their protest entered upon the Journal. When by motion a majority of Senators determine that the language of a protest is not respectful, the protest shall be referred back to the protesting Senators.

ARTICLE XII

FORCE AND EFFECT

(Senate Rule 12-1)

12-1. Applicability. The meetings and actions of the Senate, including all of its committees, shall be governed by these Senate Rules.

(Senate Rule 12-2)

12-2. Robert's Rules. The rules of parliamentary practice appearing in the 10th edition of Robert's Rules of Order shall govern the Senate in all cases to which they are applicable, providing that they are not inconsistent with these Senate Rules.

(Senate Rule 12-3)

12-3. Certification by President. With respect to any bill that has been passed by the Senate and has been certified by the President in accordance with Article IV, Section 8(d) of the Constitution, there shall be an irrebuttable presumption that all of these Senate Rules have been fully complied with in obtaining such passage.

(Senate Rule 12-4)

12-4. Effective Date. These Rules shall be in full force and effect upon their adoption, and shall remain in full force and effect except as amended in accordance with these Senate Rules, or until superseded by new Rules adopted as part of the organization of a newly constituted General Assembly at the commencement of a term.

At the hour of 1:50 o'clock p.m., the Chair announced that the Senate stand at ease while the Rules Committee meets.

AT EASE

At the hour of 2:20 o'clock p.m., the Senate resumed consideration of business.
Honorable John J. Cullerton, President of the Senate, presiding.

REPORT FROM RULES COMMITTEE

Senator Clayborne, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

Senate Resolution 1 **Senate Resolution 2**

The foregoing resolutions were placed on the Secretary's Desk.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Harmon moved that **Senate Resolution No. 1**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Harmon moved that Senate Resolution No. 1 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Kotowski | Righter |
| Bivins | Forby | Lauzen | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Brady | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Silverstein |
| Clayborne | Hendon | Martinez | Steans |
| Collins | Holmes | Meeks | Sullivan |
| Cronin | Hultgren | Millner | Syverson |
| Crotty | Hunter | Munoz | Trotter |
| Dahl | Hutchinson | Murphy | Viverito |
| DeLeo | Jacobs | Noland | Wilhelmi |
| Delgado | Jones, E. | Pankau | Mr. President |
| Demuzio | Jones, J. | Radogno | |
| Dillard | Koehler | Raoul | |

The motion prevailed.

And the resolution was adopted.

Senator Harmon moved that **Senate Resolution No. 2**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Harmon moved that Senate Resolution No. 2 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Kotowski | Richter |
| Bivins | Forby | Lauzen | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Brady | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Silverstein |
| Clayborne | Hendon | Martinez | Steans |
| Collins | Holmes | Meeks | Sullivan |
| Cronin | Hultgren | Millner | Syverson |
| Crotty | Hunter | Munoz | Trotter |
| Dahl | Hutchinson | Murphy | Viverito |
| DeLeo | Jacobs | Noland | Wilhelmi |
| Delgado | Jones, E. | Pankau | Mr. President |
| Demuzio | Jones, J. | Radogno | |
| Dillard | Koehler | Raoul | |

The motion prevailed.
And the resolution was adopted.

MESSAGE FROM THE PRESIDENT

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

| | |
|-------------------|-----------------------------|
| JOHN J. CULLERTON | 327 STATE CAPITOL |
| SENATE PRESIDENT | SPRINGFIELD, ILLINOIS 62706 |

January 14, 2009

The Honorable Deborah Shipley
Secretary of the Senate
403 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Senate Rule 3-5, please be advised that I have appointed the following Senators to serve on the Committee on Assignments: Senator Clayborne (Chairman) and Senators Viverito and Harmon. These appointments are effective January 14, 2009. If you should have any questions regarding these appointments, please contact my Chief of Staff Andrew Manar at your convenience.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

COMMUNICATION FROM MINORITY LEADER

ILLINOIS STATE SENATE
CHRISTINE RADOGNO
STATE REPUBLICAN LEADER
41ST SENATE DISTRICT

[January 14, 2009]

January 14, 2009

Ms. Deborah Shipley
Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Madam Secretary:

Pursuant to the Senate Rules adopted on January 14, 2009, I hereby appoint Senator Dale Righter to serve as Minority Spokesperson of the Senate Committee on Assignments and Senator Kirk Dillard to serve as a member of the Committee.

These appointments are effective immediately.

Sincerely,
s/Christine Radogno
Senate Republican Leader

cc: Senate President John Cullerton
Scott Kaiser
Senator Dale Righter
Senator Kirk Dillard

PRESENTATION OF RESOLUTIONS

Senators Harmon - Clayborne - Viverito offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 3

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Secretary inform the House of Representatives that the Senate has now organized by the election of a President, Secretary and other Permanent officers and is now ready to proceed with the business of session.

Senators Harmon - Clayborne - Viverito offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 4

WHEREAS, It is necessary that Senators should be conversant with the business transacted by the Senate each day, in order that they may act understandingly on all matters; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Secretary shall prepare each day an exact transcript of the Journal and have copies thereof printed at once.

Senators Harmon - Clayborne - Viverito offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 5

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE

[January 14, 2009]

STATE OF ILLINOIS, that the following people are hereby appointed to the Standing Committee of Correspondents, to have supervision of all press matters in relation to the Senate and to formulate rules governing the press gallery of the Senate which they shall present to the Committee on Assignments of the Senate for its approval and by said Committee reported to the Senate: Ray Long, Chicago Tribune; Doug Finke, Copley Illinois; Dave McKinney, Chicago Sun-Times; Kurt Erickson, Bloomington Pantagraph; and Bethany Jaeger, Illinois Issues.

At the hour of 2:25 o'clock p.m., the Chair announced that the Senate stand at ease while the Committee on Assignments meets.

AT EASE

At the hour of 2:30 o'clock p.m., the Senate resumed consideration of business.
Honorable John J. Cullerton, President of the Senate, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, reported that the following Legislative Measures have been approved for consideration:

Senate Resolution 3

Senate Resolution 4

Senate Resolution 5

The foregoing resolutions were placed on the Secretary's Desk.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Harmon moved that **Senate Resolution No. 3**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Harmon moved that Senate Resolution No. 3 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Forby | Lauzen | Risinger |
| Bivins | Frerichs | Lightford | Rutherford |
| Bomke | Garrett | Link | Sandoval |
| Bond | Haine | Luechtefeld | Schoenberg |
| Brady | Harmon | Maloney | Silverstein |
| Burzynski | Hendon | Martinez | Steans |
| Clayborne | Holmes | Meeks | Sullivan |
| Collins | Hultgren | Millner | Syverson |
| Crotty | Hunter | Munoz | Trotter |
| Dahl | Hutchinson | Murphy | Viverito |
| DeLeo | Jacobs | Noland | Wilhelmi |
| Delgado | Jones, E. | Pankau | Mr. President |
| Demuzio | Jones, J. | Radogno | |
| Dillard | Koehler | Raoul | |
| Duffy | Kotowski | Righter | |

The motion prevailed.

And the resolution was adopted.

[January 14, 2009]

Senator Harmon moved that **Senate Resolution No. 4**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Harmon moved that Senate Resolution No. 4 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Kotowski | Righter |
| Bivins | Forby | Lauzen | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Brady | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Silverstein |
| Clayborne | Hendon | Martinez | Steans |
| Collins | Holmes | Meeks | Sullivan |
| Cronin | Hultgren | Millner | Syverson |
| Crotty | Hunter | Munoz | Trotter |
| Dahl | Hutchinson | Murphy | Viverito |
| DeLeo | Jacobs | Noland | Wilhelmi |
| Delgado | Jones, E. | Pankau | Mr. President |
| Demuzio | Jones, J. | Radogno | |
| Dillard | Koehler | Raoul | |

The motion prevailed.

And the resolution was adopted.

Senator Harmon moved that **Senate Resolution No. 5**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Harmon moved that Senate Resolution No. 5 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Kotowski | Righter |
| Bivins | Forby | Lauzen | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Brady | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Silverstein |
| Clayborne | Hendon | Martinez | Steans |
| Collins | Holmes | Meeks | Sullivan |
| Cronin | Hultgren | Millner | Syverson |
| Crotty | Hunter | Munoz | Trotter |
| Dahl | Hutchinson | Murphy | Viverito |
| DeLeo | Jacobs | Noland | Wilhelmi |
| Delgado | Jones, E. | Pankau | Mr. President |
| Demuzio | Jones, J. | Radogno | |
| Dillard | Koehler | Raoul | |

The motion prevailed.

And the resolution was adopted.

MESSAGE FROM THE PRESIDENT
OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

| | |
|-------------------|-----------------------------|
| JOHN J. CULLERTON | 327 STATE CAPITOL |
| SENATE PRESIDENT | SPRINGFIELD, ILLINOIS 62706 |

January 14, 2009

The Honorable Deborah Shipley
Secretary of the Senate
403 State House
Springfield, IL 62706

Dear Madam Secretary:

Enclosed please find the Senate Session Schedule for the 96th General Assembly. Please contact my chief of Staff, Andrew Manar, should you have any questions.

Sincerely,
s/John J. Cullerton
Senate President

| 2009 SENATE SCHEDULE | | | | |
|-----------------------------|----|---------------------------|---|---|
| | | | | |
| JANUARY | 12 | SESSION | | |
| | 13 | SESSION | | |
| | | | | |
| | | 96th GA | | |
| | 14 | SESSION | - | INAUGURAL 12 NOON |
| | 15 | SESSION | | |
| | 26 | SESSION | | |
| | 27 | SESSION | | |
| | 28 | SESSION | | |
| | 29 | SESSION | | |
| | 30 | SESSION | | |
| | 31 | SESSION | | |
| | | | | |
| FEBRUARY | 2 | SESSION | | |
| | 3 | SESSION | | |
| | 4 | SESSION | - | SENATE DEMOCRATIC CAUCUS DINNER |
| | 5 | SESSION | | |
| | 9 | SESSION | | |
| | 10 | SESSION | | |
| | 11 | SESSION | | |
| | 18 | SESSION | - | GOVERNOR'S BUDGET ADDRESS |
| | 19 | SESSION | | |
| | 20 | SESSION | - | DEADLINE INTRODUCTION OF SUBSTANTIVE SENATE BILLS |
| | 25 | SESSION | | |

[January 14, 2009]

| | | | | |
|-------|----|---------|---|--|
| | 26 | SESSION | | |
| | 27 | SESSION | | |
| | | | | |
| MARCH | 3 | SESSION | | |
| | 4 | SESSION | | |
| | 5 | SESSION | | |
| | 10 | SESSION | | |
| | 11 | SESSION | | |
| | 12 | SESSION | | |
| | 13 | SESSION | - | DEADLINE SUBSTANTIVE SENATE BILLS OUT OF COMMITTEE |
| | 17 | SESSION | | |
| | 18 | SESSION | | |
| | 19 | SESSION | | |
| | 24 | SESSION | | |
| | 25 | SESSION | | |
| | 26 | SESSION | | |
| | 30 | SESSION | | |
| | 31 | SESSION | | |
| | | | | |
| APRIL | 1 | SESSION | | |
| | 2 | SESSION | | |
| | 3 | SESSION | - | DEADLINE THIRD READING SUBSTANTIVE SENATE BILLS |
| | 21 | SESSION | | |
| | 22 | SESSION | | |
| | 23 | SESSION | | |
| | 28 | SESSION | | |
| | 29 | SESSION | | |
| | 30 | SESSION | | |
| | | | | |
| MAY | 5 | SESSION | | |
| | 6 | SESSION | | |
| | 7 | SESSION | | |
| | 8 | SESSION | - | DEADLINE SUBSTANTIVE HOUSE BILLS OUT OF COMMITTEE |
| | 12 | SESSION | | |
| | 13 | SESSION | | |
| | 14 | SESSION | | |
| | 15 | SESSION | | |
| | 17 | SESSION | | |
| | 18 | SESSION | | |
| | 19 | SESSION | | |
| | 20 | SESSION | | |
| | 21 | SESSION | | |
| | 22 | SESSION | - | DEADLINE THIRD READING SUBSTANTIVE HOUSE BILLS |
| | 23 | SESSION | | |
| | 24 | SESSION | | |
| | 26 | SESSION | | |

| | | | | |
|--|----|---------|--|-------------|
| | 27 | SESSION | | |
| | 28 | SESSION | | |
| | 29 | SESSION | | |
| | 30 | SESSION | | |
| | 31 | SESSION | | ADJOURNMENT |

At the hour of 2:35 o'clock p.m., Senator DeLeo, presiding.

PRESENTATION OF RESOLUTION

Senator Cullerton offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 6

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the following are adopted as the Senate Impeachment Rules of the Ninety-Sixth General Assembly solely for impeachment trial proceedings against Governor Rod R. Blagojevich:

SENATE IMPEACHMENT RULES

Rule 1. Definitions. In these Impeachment Rules, unless the context clearly requires a different meaning:

"Articles of impeachment" include one or more articles of impeachment.

"Chief Justice" means the Chief Justice of the Illinois Supreme Court in his capacity as presiding trial officer in the trial of impeachment.

"Constitution" means the Constitution of the State of Illinois.

"Governor" means Rod R. Blagojevich.

"House" means the House of Representatives of the Illinois General Assembly.

"House impeachment record" means the complete record of proceedings of the House Special Investigative Committee and the House making inquiry into the impeachment of Rod R. Blagojevich.

"Journal" means the Journal of the Senate.

"Majority caucus" means that group of Senators from the numerically strongest political party in the Senate.

"Majority of those elected" means at least 30 Senators.

"Minority caucus" means that group of Senators from other than the majority caucus.

"Minority Leader" means the Minority Leader of the Senate.

"Party" means the House Prosecutor or Rod R. Blagojevich or his counsel.

"President" means the President of the Senate.

"Presiding Officer of the Senate" means that Senator serving as the presiding officer of the Senate, whether that Senator is the President or another Senator designated by the President, in his or her capacity as presiding officer.

"Secretary" means the Secretary of the Senate.

"Senate" means the Senate of the Illinois General Assembly.

"Senate Rules" mean the Rules of the Senate of the Ninety-Sixth General Assembly, other than these Impeachment Rules.

"Two-thirds of those elected" means at least 40 Senators.

Rule 2. Notice from the House of Representatives. When the Senate receives notice from the House that the Speaker of the House has directed the House Prosecutor to exhibit articles of impeachment before the Senate, the Secretary shall immediately inform the Clerk of the House that the Senate is ready to receive the House Prosecutor for the purposes of exhibiting those articles of impeachment and filing of the House impeachment record with the Secretary.

Rule 3. Introduction of House Prosecutor; exhibition of articles of impeachment.

[January 14, 2009]

(a) The Counsel to the Special Investigative Committee of the House shall be the House Prosecutor. The House Prosecutor may select staff to assist in prosecuting the articles of impeachment, including House staff.

(b) After the House Prosecutor is introduced to the bar of the Senate, the House Prosecutor shall signify that he or she is ready to exhibit articles of impeachment against Rod R. Blagojevich and to file the House impeachment record. The House Prosecutor shall, at the President's direction, then exhibit the articles of impeachment and file the House impeachment record with the Secretary. The House impeachment record, upon receipt by the Secretary, is deemed admitted as evidence in the trial of impeachment before the Senate. The articles of impeachment shall then be presented to the Secretary, and the President shall inform the House Prosecutor that the Senate will take proper order on the subject of the impeachment, of which due notice shall be given to the House. Further, the Sergeant-at-Arms of the Senate shall provide a copy of the articles of impeachment to the Chief Justice and give notice to the Chief Justice of the date and time the trial on those articles of impeachment will commence.

Rule 4. Consideration of articles of impeachment. After the presentation of articles of impeachment to the Senate, at a date and time set by the President, the Senate shall proceed to the consideration of the articles of impeachment and shall continue in session from day to day (Sundays excepted and unless otherwise ordered by the President) with the trial until final judgment is rendered, and so much longer as may, in the President's judgment, be needful.

Rule 5. Issuance of orders. The President has the power (i) to make and issue, by himself or by the Secretary, all orders, mandates, writs, and other papers or documents authorized by these Impeachment Rules or by the Senate and (ii) to make and enforce any other regulations and orders relating to the impeachment trial proceedings that the Senate authorizes.

Rule 6. Senate enforcement powers; authority of Sergeant-at-Arms.

(a) As provided in the Constitution, the General Assembly Organization Act (25 ILCS 5/), and the Senate Rules and as otherwise provided by law, the Senate has the power to subpoena witnesses, documents, and other materials; to compel the attendance of witnesses and the production of documents and other materials; to enforce obedience to its subpoenas, orders, mandates, writs, and judgments; to preserve order; to punish in a summary way contempt of, and disobedience to, its authority, orders, mandates, writs, and judgments; and to make all lawful orders, rules, and regulations that it may deem essential or conducive to the ends of justice.

(b) The Sergeant-at-Arms of the Senate, under the direction of the President, may employ aid and assistance deemed necessary to enforce, execute, and carry into effect the lawful subpoenas, orders, mandates, writs, and directions of the Senate. All process shall be served by the Sergeant-at-Arms of the Senate, unless otherwise ordered by the Senate.

(c) The Senate may compel any person, by subpoena, to appear and give testimony as a witness and produce documents and other materials before the Senate. The subpoena shall be signed by the President and may be served in the same manner as subpoenas from courts.

(d) Any witness neglecting or refusing to appear when duly subpoenaed to testify or to produce documents or other materials before the Senate may be arrested by warrant under the signature of the President, taken before the Senate, and there compelled to give testimony or produce documents and other materials.

(e) Anyone who has been served with a subpoena to appear as a witness or to produce documents or other materials before the Senate and who neglects or refuses to so appear or to produce any of those documents or other materials or, having appeared either with or without a subpoena, neglects or refuses to be sworn, to testify, or to produce any documents or other materials when lawfully required to do so is, pursuant to Section 8 of the General Assembly Organization Act (25 ILCS 5/8), guilty of a petty offense. This subsection shall not be construed to affect any other right of the Senate to compel the attendance of any person as a witness or the production of documents or other materials or to punish for disorderly or contemptuous behavior in its presence.

(f) The manner of effecting imprisonment of any person under these Impeachment Rules for disorderly or contemptuous behavior in the presence of the Senate, or for failure to comply with any subpoena or to give testimony, shall be by a warrant, under the signature of the President, ordering the imprisonment, countersigned by the Secretary, running in the name of the People of the State of Illinois, and may direct the Sergeant-at-Arms to command the sheriff of any county in this State where the person is located or the State Police to commit the prisoner to a county jail, and deliver the prisoner to the keeper thereof, and the jailer to receive the prisoner into his or her custody and safely keep the

prisoner for the time for which the prisoner is committed, or until the prisoner is duly discharged.

(g) If the person is committed for refusal to answer any question put to him or her as a witness, or to obey an order of the Senate, the warrant may direct that the person be returned to the Senate at a time stated in the warrant, not exceeding 24 hours after the time of commitment, or it may direct that the person be imprisoned until he or she signifies willingness to obey the requirements of the Senate, at which time the person shall be returned to the Senate by whoever then has the person in custody. However, no person shall be so held beyond the time of the adjournment of the Senate sitting for the purpose of trying the impeachment.

(h) The Sergeant-at-Arms and his or her assistants shall serve process and execute orders that are enjoined upon them by the President; shall maintain order among the spectators admitted to the impeachment trial proceedings; shall take proper measures to prevent interruption of the proceedings, and may arrest, with or without warrant, any person committing any offense against the law or any rule of the Senate, or guilty of breach of the peace in or about the Capitol or the surrounding public grounds, and convey the offender before the proper court for trial, and for that purpose has the same authority granted to sheriffs.

Rule 7. Preparation and form of proceedings. The President shall direct all necessary preparations in the Senate chamber for impeachment proceedings, and the Chief Justice shall direct all of the forms or proceedings while the Senate is sitting for the purpose of trying an impeachment and all forms during the trial not otherwise specifically provided for.

Rule 8. Rules of evidence governing the trial.

(a) Evidence may be admitted if it is relevant, material, and not redundant. Formal rules of evidence used in Illinois and federal courts do not apply to trials of impeachment before the Senate.

(b) The House Prosecutor or the Governor or his counsel may object to the admission or exclusion of evidence. Any objection must be addressed to the Chief Justice. No objection, however, may be made against all or any part of the House impeachment record filed by the House Prosecutor with the Secretary.

(c) The Chief Justice may rule on an objection and his ruling shall stand, unless a Senator asks that the Senate override the ruling of the Chief Justice. The Chief Justice, at his option, may submit the objection to the Senate, which shall rule on the objection in the first instance by a record vote.

(d) The vote of the Senate under this Rule shall be by record vote and taken in accordance with the Senate Rules.

(e) If a Senator has asked that the Senate override the ruling of the Chief Justice, then the Chief Justice shall submit the question to the Senate without debate and state the question as follows: "Shall the ruling of the Chief Justice be sustained?" The ruling of the Chief Justice shall be sustained if a majority of those elected to the Senate vote to sustain the ruling of the Chief Justice by record vote.

(f) If the Chief Justice submits the objection to the Senate for a ruling in the first instance, then the Chief Justice shall submit the question to the Senate without debate and state the question as follows: "Shall the objection be sustained?" The objection shall be sustained if a majority of those elected to the Senate sustain the objection by a record vote.

Rule 9. Writ of summons; service of summons.

(a) Upon the presentation of articles of impeachment and the organization of the Senate for the purpose of trying an impeachment, a writ of summons shall issue to Rod R. Blagojevich that recites the articles of impeachment, notifies him to file his appearance with the Senate at a specified day and time and at a specified place, to file his answer to the articles by a specified day and time, and to abide the orders and judgments of the Senate.

(b) The summons shall be served by the Sergeant-at-Arms of the Senate at least 2 days before the date fixed for the appearance. Service shall be made either by delivery of a copy to Rod R. Blagojevich or by leaving a copy with a person over the age of 21 at his residence or at the Governor's office in the State Capitol or in the James R. Thompson Center, or, if such service is not practical in the judgment of the Senate, notice to Rod R. Blagojevich to file his appearance and answer shall be given by news article or publication at least once in a newspaper of general circulation in Illinois.

Rule 10. Return of summons. At or before the date and time appointed for the appearance of Rod R. Blagojevich, the Sergeant-at-Arms shall file with the Secretary a completed written return of summons in the following form:

"I, (name), Sergeant-at-Arms, do solemnly swear (or affirm) that, as commanded by the

[January 14, 2009]

Senate, I served a summons to appear and a copy of the articles of impeachment on Governor Rod R. Blagojevich on the ____ day of _____, 2009, (personally / by leaving a copy of the summons and articles with a person over the age of 21 at his residence or the Governor's office in the State Capitol or in the James R. Thompson Center / by news article or publication at least once in a newspaper of general circulation in Illinois)."

The return of summons of the Sergeant-at-Arms shall be entered upon the Journal by the Secretary.

Rule 11. Governor's appearance and answer.

(a) At the date and time appointed in the summons, the Governor, or counsel on his behalf, shall file a written appearance and answer to the articles of impeachment.

(b) If Rod R. Blagojevich, after service, fails to file an appearance either in person or by counsel on the day ordered for filing an appearance or files an appearance but fails to file an answer to the articles of impeachment, the trial shall proceed, nonetheless, as if Rod R. Blagojevich had entered a plea of not guilty. If the Governor, or counsel on his behalf, enters a plea of guilty, then, without further proceedings, judgment shall be entered removing Rod R. Blagojevich from the office of Governor. The Senate, at a date and time set by the President, may then proceed, pursuant to Impeachment Rule 24(f), to take a record vote on the question of whether Rod R. Blagojevich shall be disqualified from holding any public office of this State in the future.

Rule 12. Commencement of trial.

(a) At the hour of the day set for filing an appearance by Rod R. Blagojevich, or at such other time as the President may order, the legislative and executive business of the Senate shall be suspended and the Secretary shall give notice to the House that the Senate is ready to proceed upon the impeachment trial of Rod R. Blagojevich in the Senate chamber or such other place as the Senate determines.

(b) Before proceeding to the consideration of the articles of impeachment, the President shall administer the oath to the Chief Justice.

(c) The Secretary shall then administer the oath to the members of the Senate then present and to the other members of the Senate as they appear, whose duty it shall be to take the oath.

(d) The oath to be administered shall be as follows: "I solemnly swear (or affirm) that in all things pertaining to the trial of the impeachment of Governor Rod R. Blagojevich, now pending, I will do justice according to law."

(e) Any members of the Senate not present to take the oath must be administered the oath upon entering the Senate chambers during the trial. The Secretary shall maintain a record of those Senators who have and have not been administered the oath.

Rule 13. Attendance; decorum; ex parte communications.

(a) All Senators must attend all impeachment proceedings unless excused by the President (if the Senator is a member of the majority caucus) or Minority Leader (if the Senator is a member of the minority caucus). Any Senator who is absent shall be provided opportunity to review the record of impeachment proceedings for any date the Senator was absent.

(b) All Senators must act in a courteous manner to the President, the Chief Justice and his staff, the House Prosecutor and his or her staff, the Governor and his counsel, and Senate staff.

(c) A Senator should not initiate, permit, or consider ex parte communications with members of the House, the House Prosecutor or his or her staff, or the Governor or his counsel or staff of the Governor or his counsel, or consider ex parte communications or other communications made to the Senator outside the presence of the parties concerning the impeachment pending before the Senate, except that:

(1) If circumstances require, ex parte communications for scheduling, administrative purposes, or emergencies that do not deal with substantive matters or issues on the merits are authorized if (i) the Senator reasonably believes that no party will gain a procedural or tactical advantage as a result of the ex parte communication and (ii) the Senator makes provision promptly to notify all other parties of the substance of the ex parte communication and allows an opportunity to respond.

(2) A Senator may consult with other Senators or Senate staff whose function is to aid the Senator in carrying out the Senator's responsibilities.

(3) The President, Minority Leader, or any one or more Senators designated by the President or Minority Leader may confer with the House Prosecutor or his or her staff, the Governor or his counsel or staff of the Governor or his counsel, or both in an effort to mediate or settle matters

[January 14, 2009]

pending before the Senate.

(d) A Senator should abstain from publicly speculating on issues pertaining to the impeachment trial proceedings pending before the Senate, including the weight or credibility of testimony or other evidence, the evidence that may be presented by the parties, and how the Senator may vote on the evidentiary matters and the final verdict. Senators should require similar abstention on the part of Senate staff subject to the Senator's direction and control. Senators or authorized Senate staff may make public statements regarding their other official duties or explain the procedure of the Senate for public information purposes.

(e) The House Prosecutor and his or her staff must abstain from publicly commenting on issues pertaining to the impeachment trial proceedings while those proceedings are pending before the Senate.

Rule 14. Sufficiency of articles of impeachment. Any motion to dismiss or challenge the sufficiency of articles of impeachment must be submitted, in writing, to the Chief Justice on the day set for the commencement of the trial on the articles or as permitted by resolution adopted by the Senate. Argument on any motion challenging the sufficiency of the articles shall not exceed 15 minutes, unless extended by a resolution of the Senate, by unanimous consent of the Senate, or by a majority of those elected to the Senate by record vote. If the objection to the sufficiency of any article is not sustained by a record vote of a majority of those elected to the Senate, the trial shall proceed with respect to that article.

Rule 15. Subpoena of witnesses, documents, or other materials; requests to admit additional evidence.

(a) Requests for subpoenas for witnesses, documents, or other materials may be made by the House Prosecutor or by the Governor or his counsel in the form of a verified written motion submitted to the Chief Justice, and a copy provided to the Secretary. The motion must incorporate a showing that the subpoena is reasonably required to obtain information that cannot be obtained through voluntary requests for information.

(1) A motion for a subpoena for witness testimony must contain the name, address, and telephone number of the witness, a description of the subject matter of the testimony, an explanation of why the testimony is relevant, material, and not redundant and must indicate when the party seeks to have the witness testify before the Senate.

(2) A motion for subpoena duces tecum must specify the documents or other materials to be produced and the material or relevant facts to be proved by them.

(3) The Chief Justice shall submit all motions made under this subsection (a) to the Senate for its decision. A motion made under this subsection (a) is deemed granted only if the motion is sustained by a majority of those elected to the Senate by record vote.

(4) If a motion made under this subsection (a) is granted to subpoena a witness to testify before the Senate, then that witness shall testify in the manner provided in Impeachment Rule 22.

(5) If a motion made under this subsection (a) is granted to issue a subpoena duces tecum and the moving party seeks the admission of any produced documents or other materials as evidence, then the moving party must submit a request pursuant to subsection (b) of this Impeachment Rule.

(b) Requests for the admission of any evidence, including evidence not in the House impeachment record, may be made by the House Prosecutor or by the Governor or his counsel in the form of a verified written motion submitted to the Chief Justice, and a copy provided to the Secretary.

(1) A motion seeking the admission of additional witness testimony must contain the name, address, and telephone number of the witness, a description of the subject matter of the testimony, and an explanation of why the testimony is relevant, material, and not redundant.

(2) A motion seeking the admission of documents or other materials must describe and produce the proffered evidence and must explain why the documents or other materials are relevant, material, and not redundant.

(3) The Chief Justice shall submit all motions made under this subsection (b) to the Senate for its decision. A motion made under this subsection (b) is deemed granted only if the motion is sustained by a majority of those elected to the Senate by record vote. If a motion is sustained with respect to the admission of additional witness testimony, then the Senate shall proceed to hear the testimony in the manner set forth in Impeachment Rule 22. If a motion is sustained with respect to the admission of documents or other materials, then the documents or other materials shall be deemed admitted as evidence in the trial of impeachment before the Senate.

(4) For purposes of this subsection (b), the term "House impeachment record" has

the same meaning as defined in Impeachment Rule 1 and consists of the documents and other materials filed by the House Prosecutor pursuant to Impeachment Rule 3.

(c) A party submitting a motion under this Impeachment Rule must, simultaneously with filing the request with the Chief Justice, serve a copy of the request on the opposing party. The non-moving party may object to a request made under this Impeachment Rule by filing objections in writing with the Chief Justice and the Secretary and by serving a copy on the moving party. The non-moving party has 24 hours from the time of that party's receipt of service of the request to file objections, unless directed otherwise by Senate resolution or additional time is granted by either unanimous consent of the Senate or a record vote of a majority of those elected to the Senate.

(d) Requests made under subsections (a) and (b) of this Impeachment Rule shall not be combined into one verified motion, but each must be submitted on a stand-alone basis. Requests made under this Rule are in order only as permitted by resolution of the Senate, by unanimous consent of the Senate, or by a record vote of a majority of those elected to the Senate.

(e) Arguments on any request made under this Rule must be authorized, and time limits shall be determined, by resolution of the Senate, by unanimous consent of the Senate, or by a record vote of a majority of those elected to the Senate.

(f) It is never in order to request a subpoena for the testimony of any person or for the production of documents or other materials from that person if the U.S. Attorney for the Northern District of Illinois has indicated that the person's testimony, or inquiry into the subject matter of that person's testimony, could compromise the U.S. Attorney's criminal investigation of Rod R. Blagojevich, as exemplified by, but not limited to, exhibits 10, 24, and 30 of the House impeachment record, unless the U.S. Attorney subsequently indicates otherwise.

(g) A request made under this Rule is not redundant merely because the request relates to witness testimony or documents or other materials already contained, in whole or in part, in the House impeachment record.

Rule 16. Opening statements and closing arguments.

(a) After preliminary motions are heard, the House Prosecutor may make an opening statement not to exceed 30 minutes. The Governor or his counsel may then make an opening statement not to exceed 30 minutes.

(b) The House Prosecutor shall proceed to present the case for impeachment. The Governor or his counsel shall then be provided the opportunity to present evidence relevant to the articles of impeachment as provided by these Impeachment Rules. The House Prosecutor shall have an opportunity to present any rebuttal.

(c) Closing arguments shall follow the presentation of all evidence to the Senate sitting as an impeachment tribunal. The House Prosecutor shall have 60 minutes to present a closing argument. The Governor or his counsel shall have 90 minutes to present a closing argument. The House Prosecutor shall then have an additional 30 minutes to present any rebuttal argument. On motion of either party before closing argument, the time for closing argument may be extended by unanimous consent or a record vote of the majority of those elected to the Senate. The argument shall be opened and closed by the House Prosecutor.

Rule 17. Senate Rules; applicability. The Senate Rules, unless otherwise provided for by law, govern the Senate while it sits for the purpose of trying an impeachment. If any Senate Rule conflicts with these Impeachment Rules, then these Impeachment Rules control.

Rule 18. Time of trial. The hour of the day at which the Senate shall sit upon the trial of an impeachment is 12 noon, unless otherwise directed by the President, and when that hour arrives, the President shall direct that the Senate resolve itself to sit as an impeachment tribunal, and the business of the trial shall proceed and shall be presided over by the Chief Justice. While the Senate is sitting as an impeachment tribunal, no other business than business related to the impeachment trial is in order. The adjournment of the Senate sitting as an impeachment tribunal does not operate as an adjournment of the Senate; but on that adjournment the Senate may resume the consideration of its legislative and executive business.

Rule 19. Secretary as custodian of all impeachment records.

(a) The Secretary shall record impeachment trial proceedings in the same manner as the recording of legislative proceedings. Impeachment proceedings shall be journalized and reported in the same manner as legislative proceedings of the Senate. The Secretary shall cause a record to be made of all proceedings

[January 14, 2009]

before the Senate while sitting for the purpose of trying an impeachment, including a verbatim transcript, and shall provide for receipt and secure permanent maintenance of all subpoenas, precepts, documents, records, books, papers, pleadings, motions, and exhibits presented to or received by the Senate in impeachment trial proceedings.

(b) The Secretary shall provide copies of all documents and other materials filed in the proceedings to the majority caucus and minority caucus in hard copy or electronic format. The Secretary shall specify the electronic format of documents and other materials filed by the parties under these Rules.

Rule 20. Counsel for parties. The House Prosecutor and his or her staff and counsel for the Governor and his or her staff shall be admitted to appear and be heard upon an impeachment trial.

Rule 21. Presentation of questions, motions, and other matters; votes on motions, requests, and other matters.

(a) All motions, objections, requests, or other matters pertaining to procedure, to the articles of impeachment, or to the impeachment trial, including questions with respect to the admissibility of evidence, made orally or in writing by the House Prosecutor or the Governor or his counsel, shall be addressed only to the Chief Justice. If made orally and the Chief Justice or any Senator so requests, it shall be reduced to writing and read at the Secretary's desk. If made in writing, it shall be in a format as required by the Secretary and shall be filed with the Secretary.

(b) The Chief Justice shall submit to the Senate for its decision all motions, requests, or other matters pertaining to procedure, to the articles of impeachment, or to the impeachment trial, made orally or in writing by the House Prosecutor or the Governor or his counsel. The Senate shall decide those motions, requests, or other matters by a record vote of a majority of those elected to the Senate. Evidentiary objections shall be determined under Impeachment Rule 8.

(c) Senators shall direct to the Chief Justice all oral or written motions, requests, or other matters pertaining to procedure, to the articles of impeachment, or to the impeachment trial, including requests that the Senate override rulings of the Chief Justice on objections to evidence. Any motion, request, or other matter may be acted upon without objection. If objection is made by any Senator, then the motion, request, or other matter shall be decided by a record vote of a majority of those elected to the Senate. The vote on the motion, request, or other matter shall be without debate, unless a Senator requests that the doors be closed for deliberation pursuant to Rule 23. When the doors are closed for deliberation as an impeachment tribunal, the President shall preside and deliberations and debate shall be conducted in accordance with Senate Rules.

Rule 22. Witness examination and presentation of trial exhibits; questions by Senators.

(a) Before any witness may give testimony, the Secretary shall administer to the witness the following oath: "I do solemnly swear (or affirm) that the testimony I am about to give in this matter is the truth, the whole truth, and nothing but the truth."

(b) Each witness shall be examined by one person on behalf of the party producing that witness and then cross-examined by one person on the other side. The Chief Justice shall permit redirect examination and may permit re-cross examination.

(c) After completion of questioning by the House Prosecutor and the Governor or his counsel, any Senator desiring to question a witness shall be permitted to do so by reducing his or her question to writing and by submitting it to the Secretary. Questions submitted shall be asked by the Chief Justice. If any objection to a Senator's question is raised by the House Prosecutor, the Governor, his counsel, or a Senator, then the objection shall be ruled upon in the same manner as set forth in Impeachment Rule 8. There shall be no colloquy or debate by or among the Senators on the question posed.

(d) Copies of all documents and other materials intended to be relied upon or entered into evidence and the name, address, and telephone number of any witness permitted to testify before the Senate pursuant to Impeachment Rule 15 shall be filed with the Secretary, and a copy shall also be provided to all counsel, at least 72 hours before the use of the document or other material or the testimony of the witness, unless specified otherwise by Senate Resolution or by motion under Impeachment Rule 21.

Rule 23. Sessions; open or closed.

(a) At all times while the Senate is sitting upon the trial of an impeachment, the doors of the Senate and the Senate galleries shall be kept open, unless the Senate directs the doors to be closed while deliberating upon its decisions. A motion to close the doors may be made by any member of the Senate, and the motion shall be deemed granted only if sustained by two-thirds of those elected to the Senate by record vote.

[January 14, 2009]

(b) By granting a motion under subsection (a), the Senate finds that it is in the public interest for the Senate, as provided in Section 5(c) of Article IV of the Constitution, to conduct deliberations and debate on impeachment matters in closed session.

Rule 24. Final verdict and judgment.

(a) After closing arguments, the Senate sitting as an impeachment tribunal shall take a separate record vote on each article of impeachment against Rod R. Blagojevich. If there is more than one article of impeachment, then a record vote shall be taken on each article in the order that it appears in the articles of impeachment. If an article of impeachment is not sustained by two-thirds of those elected to the Senate, then a record vote shall proceed to be taken on the article next appearing in the articles of impeachment. If an article of impeachment is sustained by two-thirds of those elected to the Senate, then the Senate need not take a record vote on any remaining articles of impeachment.

(b) If a Senator has not, for a particular article of impeachment, heard a substantial portion of the testimony and evidence or reviewed the transcripts of those portions of the testimony or evidence that the Senator did not hear, then that Senator may not vote on that particular article of impeachment.

(c) The Chief Justice shall state the question on each article of impeachment as follows: "Shall the Senate sustain the _____ article of impeachment against Governor Rod R. Blagojevich and remove him from the office of Governor?" Each Senator, as his or her name is called, shall rise in his or her place and answer "Yes" or "No". An article of impeachment and the question put to the Senate is not divisible for the purpose of voting thereon at any time during the trial.

(d) If no article of impeachment is sustained by the Senate, then a judgment of acquittal shall be pronounced by the Chief Justice and entered upon the Journal.

(e) If two-thirds of those elected to the Senate sustain any one or more articles of impeachment by record vote, then the Chief Justice shall pronounce judgment of conviction against Rod R. Blagojevich. The Chief Justice shall also pronounce in the judgment that Rod R. Blagojevich is thereby removed from the office of Governor. The Secretary shall enter the judgment upon the Journal.

(f) If judgment of conviction is entered, a record vote may, upon motion of any Senator, be taken on the question of whether Rod R. Blagojevich shall be disqualified from holding any public office of this State in the future. The Chief Justice shall state the question as follows: "Shall Rod R. Blagojevich be disqualified from holding any future public office in this State?" Each Senator, as his or her name is called, shall rise in his or her place and answer "Yes" or "No". If two-thirds of those elected to the Senate vote in favor of disqualification, then judgment of disqualification shall be pronounced by the Chief Justice and entered upon the Journal. If two-thirds of those elected to the Senate do not vote in favor of disqualification, then the Chief Justice shall state that the question is lost, which shall be entered upon the Journal.

(g) A motion to reconsider the vote by which any article of impeachment is sustained or rejected is never in order. A motion to reconsider the vote by which disqualification is sustained or rejected is also never in order.

(h) Upon conclusion of all impeachment matters, the Chief Justice shall adjourn the Senate *sine die* as an impeachment tribunal.

Rule 25. Other time periods. If the Senate at any time fails to sit for the consideration of articles of impeachment at a scheduled day or hour, then the President may fix a day and hour for the Senate to resume its consideration.

Rule 26. Amendments to and suspension of Impeachment Rules. These Impeachment Rules may be suspended or amended by two-thirds of those elected to the Senate by record vote.

APPENDIX-FORMS

Form 1. Senate acknowledgement receipt; articles of impeachment and House impeachment record.

I, (name), Secretary of the Senate, have received this ____ day of _____, 2009: (1) the articles of impeachment and (2) the House impeachment record. The House impeachment record consists of the documents and other materials itemized on the attached list.

Secretary of the Senate

Form 2. Letter acknowledging the Senate is prepared to commence hearings.

[January 14, 2009]

To the Honorable Speaker of the House of Representatives

As provided in the Senate Impeachment Rules, the Senate is prepared to take proper order on the subject of the impeachment of Governor Rod R. Blagojevich, who has been summoned to file an appearance with the Senate on _____, 2009, at the hour of _____ in the Senate Chamber and to answer the articles of impeachment. The House Prosecutor may file with the Secretary of the Senate a reply to the answer filed by the Governor on or before _____ 2009, at the hour of _____.

Senate floor privileges will be extended to Senators, staff of the Senate President and Senate Minority Leader, the House Prosecutor and his or her and staff, the Chief Justice and his staff, Rod R. Blagojevich and his counsel, and those with proper identification as directed by the Senate President and issued by the Secretary of the Senate.

Secretary of the Senate

cc: Members of the House Special Investigative Committee by individual name

Form 3. Command to Sergeant-at-Arms to serve summons on Rod R. Blagojevich.

To the Sergeant-at-Arms of the Senate:

You are hereby commanded to deliver and leave with Governor Rod R. Blagojevich, if conveniently to be found, or if not, to leave with a person over the age of 21 at his residence or at the Governor's office in the State Capitol or in the James R. Thompson Center, or to serve by news article or publication at least once in a newspaper of general circulation in Illinois, a true and attested copy of the within writ of summons, together with a like copy of this order; and in whichever way you perform the service let it be done at least 2 days before the appearance day mentioned in the summons.

Fail not, and make return of this writ of summons, with your proceedings thereon endorsed, on or before the appearance day mentioned in the summons.

Witness this _____ day of _____, 2009.

President of the Senate Attested: _____
Secretary of the Senate

Form 4. Form of Summons to be served upon Rod R. Blagojevich.

The Senate of the State of Illinois to Governor Rod R. Blagojevich:

Whereas, the Illinois House of Representatives on the _____ day of _____, 2009 exhibited to the Senate articles of impeachment against you as follows:

(INSERT ARTICLES OF IMPEACHMENT)

and demands that you, Rod R. Blagojevich, should be put to answer the accusations as set forth in the those articles of impeachment and such proceedings, examinations, trials, and judgments might be had thereupon as are agreeable to law and justice.

You, Rod R. Blagojevich, are therefore summoned to file an appearance with the Senate of the State of Illinois at its chamber in the city of Springfield, on the _____ day of _____, 2009 at the hour of _____, and at that time file an answer to the articles of impeachment. You are commanded to abide by, obey, and perform such orders, directions, and judgments as the Senate of the State of Illinois shall make in the premises according to the Constitution and laws of the State of Illinois.

Witness this _____ day of _____, 2009.

President of the Senate Attested: _____
Secretary of the Senate

Form 5. Form of subpoena for testimony and production of documents.

The Senate of the State of Illinois to:

NAME: _____

[January 14, 2009]

ADDRESS: _____

CITY: _____

YOU ARE COMMANDED to (appear to testify before / deliver documents or other materials to / appear to testify before and deliver documents and other materials to) the Senate of the State of Illinois at the Senate chamber in Springfield, Sangamon County, Illinois on the _____ day of _____, 2009 at the hour of _____ in the matter of the impeachment trial of Governor Rod R. Blagojevich now pending before the Senate.

YOU ARE COMMANDED to bring the following:

(list documents or other materials)

in your possession or control.

YOUR FAILURE TO RESPOND TO THIS SUBPOENA WILL SUBJECT YOU TO ARREST AND PUNISHMENT AS PROVIDED BY THE ILLINOIS CONSTITUTION, THE STATUTES OF ILLINOIS, AND THE RULES OF THE SENATE.

Witness this _____ day of _____, 2009.

President of the Senate Attested: _____
Secretary of the Senate

Form 6. Form of direction for the service of subpoena.

The Senate of the State of Illinois to _____:

You are hereby commanded to serve and return the within subpoena according to law.

Witness this _____ day of _____, 2009.

President of the Senate Attested: _____
Secretary of the Senate

At the hour of 2:36 o'clock p.m., the Chair announced that the Senate stand at ease while the Committee on Assignments meets.

AT EASE

At the hour of 2:39 o'clock a.m., the Senate resumed consideration of business.
Senator DeLeo, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution 6

The foregoing resolution was placed on the Secretary's Desk.

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Cullerton moved that **Senate Resolution No. 6**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.

[January 14, 2009]

Senator Cullerton moved that Senate Resolution No. 6 be adopted.
And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Kotowski | Righter |
| Bivins | Forby | Lauzen | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Brady | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Silverstein |
| Clayborne | Hendon | Martinez | Steans |
| Collins | Holmes | Meeks | Sullivan |
| Cronin | Hultgren | Millner | Syverson |
| Crotty | Hunter | Munoz | Trotter |
| Dahl | Hutchinson | Murphy | Viverito |
| DeLeo | Jacobs | Noland | Wilhelmi |
| Delgado | Jones, E. | Pankau | Mr. President |
| Demuzio | Jones, J. | Radogno | |
| Dillard | Koehler | Raoul | |

The motion prevailed.
And the resolution was adopted.

At the hour of 2:45 o'clock p.m., Honorable John J. Cullerton, President of the Senate, presiding.

MESSAGE FROM THE HOUSE

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following resolution, in the adoption of which I am instructed to inform the Senate, to-wit:

HOUSE RESOLUTION NO. 5

WHEREAS, Section 14 of Article IV of the Illinois Constitution provides that the House of Representatives has the sole power to conduct legislative investigations to determine the existence of cause for impeachment; and

WHEREAS, In furtherance of that power, on December 15, 2008, the House of Representatives of the Ninety-Fifth General Assembly unanimously adopted House Resolution 1650 creating a Special Investigative Committee for the purpose of (i) investigating allegations of misfeasance, malfeasance, nonfeasance, and other misconduct of Governor Rod R. Blagojevich and (ii) making a recommendation as to whether cause exists for impeachment; and

WHEREAS, In recognition of the gravity of the inquiry, the Special Investigative Committee made a thorough investigation by holding hearings, taking evidence, hearing arguments, and faithfully deliberating; and

WHEREAS, The Special Investigative Committee gave the Governor the opportunity to appear before the Committee and participate in its proceedings and afforded the Governor more than adequate procedural rights and safeguards; and

WHEREAS, The Governor declined several invitations of the Special Investigative Committee to personally appear before the Committee; and

[January 14, 2009]

WHEREAS, The Special Investigative Committee developed an extensive record of documentary evidence, written and oral testimony, written and oral argument, and transcripts of its proceedings (the "Committee Record"); and

WHEREAS, In accordance with House Resolution 1650 of the Ninety-Fifth General Assembly, the Special Investigative Committee filed its Final Report with the House of Representatives (the "Final Report") on January 8, 2009, which is adopted and incorporated as if fully set forth herein; and

WHEREAS, The Final Report of the Special Investigative Committee recommended that Rod R. Blagojevich, Governor of the State of Illinois, be impeached for cause; and

WHEREAS, The House of Representatives is empowered under Section 14 of Article IV of the Illinois Constitution to impeach Rod R. Blagojevich, Governor of the State of Illinois; and

WHEREAS, On January 9, 2009 the House adopted House Resolution 1671 of the Ninety-Fifth General Assembly and thereby impeached Governor Rod R. Blagojevich; and

WHEREAS, The House of Representatives of the Ninety-Sixth General Assembly chooses to reaffirm the actions taken by the House of Representatives of the Ninety-Fifth General Assembly in its adoption of House Resolution 1671; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that Rod R. Blagojevich, Governor of the State of Illinois, is impeached for cause and that the following article of impeachment be exhibited to the Senate for trial as provided in the Illinois Constitution so that the Senate may do justice according to law:

ARTICLE OF IMPEACHMENT EXHIBITED BY THE HOUSE OF REPRESENTATIVES IN THE NAME OF ITSELF AND THE PEOPLE OF THE STATE OF ILLINOIS AGAINST ROD R. BLAGOJEVICH, GOVERNOR OF THE STATE OF ILLINOIS, IN MAINTENANCE OF THE IMPEACHMENT OF HIM FOR CAUSE.

ARTICLE ONE

Based on the totality of the evidence contained in the Record of the House Special Investigative Committee created under House Resolution 1650 (the "Committee Record") and as summarized in the Final Report of the Special Investigative Committee filed with the House of Representatives on January 8, 2009 (the "Final Report"), in his conduct while Governor of the State of Illinois, Rod R. Blagojevich, has abused the power of his office in some or all of the following ways:

1) The Governor's plot to obtain a personal benefit in exchange for his appointment to fill the vacant seat in the United States Senate, as more fully detailed in the Final Report at Section IV-A and in the Committee Record as a whole.

2) The Governor's plot to condition the awarding of State financial assistance to the Tribune Company on the firing of members of the Chicago Tribune editorial board, as more fully detailed in the Final Report at Section IV-B and in the Committee Record as a whole.

3) The Governor's plot to trade official acts in exchange for campaign contributions, namely the signing of legislation related to the diversion of casino gambling revenues to the horse racing industry, as more fully detailed in the Final Report at Section IV-C-1 and in the Committee Record as a whole.

4) The Governor's plot to trade official acts in exchange for campaign contributions, namely the awarding of a State tollway contract and the expansion of a tollway project, as more fully detailed in the Final Report at Section IV-C-2 and in the Committee Record as a whole.

5) The Governor's plot to trade official acts in exchange for campaign contributions, namely the release of pediatric care reimbursements to Illinois doctors and hospitals, as more fully detailed in the Final Report at Section IV-C-3 and in the Committee Record as a whole.

[January 14, 2009]

6) The Governor's plot to trade official acts in exchange for campaign contributions, namely the appointment to a position with the Illinois Finance Authority, as more fully detailed in the Final Report at Section IV-C-4 and in the Committee Record as a whole.

7) The Governor's plot to trade official acts in exchange for campaign contributions, namely the awarding of State contracts, as more fully detailed in the Final Report at Section IV-C-5 and in the Committee Record as a whole.

8) The Governor's plot to trade official acts in exchange for campaign contributions, namely the awarding of State permits and authorizations, as more fully detailed in the Final Report at Section IV-C-6 and in the Committee Record as a whole.

9) The Governor's refusal to recognize the authority of the Joint Committee on Administrative Rules to suspend or prohibit rules, his utter disregard of the doctrine of separation of powers, and his violation of the Illinois Administrative Procedure Act by unilaterally expanding a State program, as more fully detailed in the Final Report at Section IV-D and in the Committee Record as a whole.

10) The Governor's actions with regard to, and responsibility for, the procurement of flu vaccines, as more fully detailed in the Final Report at Section IV-E and in the Committee Record as a whole.

11) The Governor's actions with regard to, and responsibility for, the I-SaveRx Program, as more fully detailed in the Final Report at Section IV-F and in the Committee Record as a whole.

12) The Governor's actions with regard to, and responsibility for, the Agency Efficiency Initiatives, as more fully detailed in the Final Report at Section IV-G and in the Committee Record as a whole.

13) The Governor's violation of State and federal law regarding the hiring and firing of State employees, as more fully detailed in the Final Report at Section IV-J and in the Committee Record as a whole.

Under the totality of the evidence, some or all of these acts of the Governor constitute a pattern of abuse of power.

Wherefore, this abuse of power by Rod R. Blagojevich warrants his impeachment and trial, removal from office as Governor, and disqualification to hold any public office of this State in the future.

Adopted by the House, January 14, 2009.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Resolution No. 5 was referred to the Committee on Assignments.

The Chair appointed the following members to escort House Prosecutor David Ellis into the Senate Chamber: Senators Trotter, Link, Viverito, Righter, Murphy, and Brady.

Prosecutor Ellis proceeded to exhibit and read into the record the Articles of Impeachment adopted by the House of Representatives against Rod R. Blagojevich, Governor of the State of Illinois.

Upon completion, Prosecutor Ellis requested the Senate take order for the trial.

The Chair stated the Prosecutor would be notified when the Senate is prepared to proceed.

Whereupon, the Prosecutor was escorted from the Senate Chamber.

The Chair appointed the following members to escort Chief Justice of the Supreme Court Thomas Fitzgerald into the Senate Chamber: Senators Silverstein, Kotowski, Koehler, Lauzen, Dillard, and Cronin.

In fulfillment of his responsibilities in accordance with Article IV, Section 14, of the Illinois Constitution, Chief Justice Fitzgerald presented himself to join with the Senate in the trial of the impeachment of Rod. R. Blagojevich, Governor of the State of Illinois.

[January 14, 2009]

Whereupon the Chief Justice appeared at the bar of the Senate and President John J. Cullerton administered to him the oath.

At the hour of 3:00 o'clock p.m., the Honorable Chief Justice Thomas Fitzgerald, presiding.

Pursuant to Article IV, Section 14, of the Illinois Constitution and the Senate Impeachment Rules, the Secretary administered the oath to all Senators present.

The following Senators answered in assent:

| | | | |
|-----------|------------|-------------|---------------|
| Althoff | Duffy | Kotowski | Righter |
| Bivins | Forby | Lauzen | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Brady | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Silverstein |
| Clayborne | Hendon | Martinez | Steans |
| Collins | Holmes | Meeks | Sullivan |
| Cronin | Hultgren | Millner | Syverson |
| Crotty | Hunter | Munoz | Trotter |
| Dahl | Hutchinson | Murphy | Viverito |
| DeLeo | Jacobs | Noland | Wilhelmi |
| Delgado | Jones, E. | Pankau | Mr. President |
| Demuzio | Jones, J. | Radogno | |
| Dillard | Koehler | Raoul | |

Senator Cullerton moved the Senate resolve itself into an impeachment tribunal for the purpose of ordering itself for the trial now pending of the impeachment of the Governor.

And it was so ordered.

IMPEACHMENT TRIBUNAL

3:05 o'clock p.m.

PRESENTATION OF RESOLUTION

Senator Cullerton offered the following Senate Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE RESOLUTION NO. 7

WHEREAS, The House Prosecutor has exhibited an article of impeachment against Governor Rod R. Blagojevich and has filed the House impeachment record with the Secretary; and

WHEREAS, The impeachment trial of Governor Rod R. Blagojevich is now pending before the Senate; and

WHEREAS, An initial schedule for those proceedings should be established; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the following schedule for the impeachment trial of Governor Rod R. Blagojevich is established, subject to revision by the President or as otherwise provided in the Senate Impeachment Rules:

Wednesday, January 14, 2009:

*Issuance of summons to Governor Rod R. Blagojevich.

Saturday, January 17, 2009:

*(12:00 noon) Governor to file his appearance and answer to article of impeachment.

[January 14, 2009]

Tuesday, January 20, 2009:

*(4:00 p.m.) Governor to file motion to dismiss, if any, under Senate Impeachment Rule 14.

*(4:00 p.m.) House Prosecutor to file reply to Governor's answer to article of impeachment.

Wednesday, January 21, 2009:

*(4:00 p.m.) All parties to file requests, if any, under Senate Impeachment Rule 15.

Friday, January 23, 2009:

*(4:00 p.m.) House Prosecutor to file response to any motion to dismiss under Senate Impeachment Rule 14.

Saturday, January 24, 2009:

*(10:00 a.m.) All parties to file responses to requests, if any, under Senate Impeachment Rule 15.

Monday, January 26, 2009 and thereafter, as scheduled by the President or as otherwise provided under the Senate Impeachment Rules:

*(12:00 noon) Senate convenes as an impeachment tribunal.

*Argument by Governor on any motion to dismiss under Senate Impeachment Rule 14 (30 minutes including any rebuttal).

*Argument by House Prosecutor on any motion to dismiss under Senate Impeachment Rule 14 (30 minutes).

*Rebuttal argument by Governor on motion to dismiss under Senate Impeachment Rule 14 (balance of 30 minutes).

*Senators' questions concerning any motion to dismiss under Senate Impeachment Rule 14.

*Senate vote on any motion to dismiss under Senate Impeachment Rule 14.

*Argument by House Prosecutor on any requests under Senate Impeachment Rule 15 (30 minutes including any rebuttal).

*Argument by Governor on any requests under Senate Impeachment Rule 15 (30 minutes including any rebuttal).

*Rebuttal argument by House Prosecutor and then by Governor on their respective requests under Senate Impeachment Rule 15 (balance of each's respective 30 minutes).

*Senators' questions concerning any requests under Senate Impeachment Rule 15.

*Senate vote on any requests under Senate Impeachment Rule 15.

*House Prosecutor's opening statement (30 minutes).

*Governor's opening statement (30 minutes).

*Presentation of prosecution by House Prosecutor.

*Presentation of defense by Governor.

*Presentation of rebuttal by House Prosecutor.

*Closing argument by House Prosecutor (60 minutes).

*Closing argument by Governor (90 minutes).

*Closing rebuttal argument by House Prosecutor (30 minutes).

*Senate vote on article of impeachment.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

| | | | |
|-----------|----------|-------------|-------------|
| Althoff | Duffy | Kotowski | Righter |
| Bivins | Forby | Laufen | Risinger |
| Bomke | Frerichs | Lightford | Rutherford |
| Bond | Garrett | Link | Sandoval |
| Brady | Haine | Luechtefeld | Schoenberg |
| Burzynski | Harmon | Maloney | Silverstein |
| Clayborne | Hendon | Martinez | Steans |
| Collins | Holmes | Meeks | Sullivan |
| Cronin | Hultgren | Millner | Syverson |
| Crotty | Hunter | Munoz | Trotter |

[January 14, 2009]

| | | | |
|---------|------------|---------|---------------|
| Dahl | Hutchinson | Murphy | Viverito |
| DeLeo | Jacobs | Noland | Wilhelmi |
| Delgado | Jones, E. | Pankau | Mr. President |
| Demuzio | Jones, J. | Radogno | |
| Dillard | Koehler | Raoul | |

The motion prevailed.
And the resolution was adopted.

Chief Justice Fitzgerald directed the Sergeant-at-Arms to make service upon the Governor of the Writ of Summons, which shall issue hereafter, together with copies of the Articles of Impeachment.

Senator Cullerton moved the Senate arise from sitting as an Impeachment Tribunal.
The motion carried.

At the hour of 3:12 o'clock p.m., the Chair announced the Senate has arisen from sitting as an Impeachment Tribunal until Monday, January 26, 2009, at the hour of 12:00 o'clock noon.

Whereupon the Senate resumed consideration of regular business.

The Honorable President John J. Cullerton, presiding.

President Cullerton appointed the following members as Majority Leadership for the Ninety-Sixth General Assembly:

| | |
|--------------------------|-------------------------------|
| James Clayborne | Majority Leader |
| James DeLeo | Assistant Majority Leader |
| Rickey Hendon | Assistant Majority Leader |
| Don Harmon | Assistant Majority Leader |
| Kim Lightford | Assistant Majority Leader |
| Jeffrey Schoenberg | Assistant Majority Leader |
| Tony Munoz | Caucus Chair |
| Donne Trotter | Majority Appropriations Chair |
| John Sullivan | Majority Appropriations Chair |
| Susan Garrett | Majority Caucus Whip |
| Ira Silverstein | Majority Caucus Whip |
| Louis Viverito | Majority Caucus Whip |
| Terry Link | Majority Caucus Whip |

At the hour of 3:16 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, January 15, 2009, at 10:00 o'clock a.m.